



REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**

Council Meeting

Jubilee Centre Council Chamber
9909 Franklin Avenue, Fort McMurray

Tuesday, June 28, 2011
6:00 p.m.

Agenda

Call to Order

Opening Prayer

Adoption of Agenda

Minutes of Previous Meetings

1. Regular Meeting – June 14, 2011

Delegations

2. Ross Jacobs and Don Pugh, Community Futures Wood Buffalo re: Annual Stakeholder Report

Those individuals in attendance at the meeting will be provided with an opportunity to address Council regarding an item on the agenda, with the exception of those items for which a Public Hearing is required or has been held. Consistent with all delegations, each presentation will be allowed a maximum of five minutes.

Public Hearings and Related Reports

3. Bylaw 11/016 – Land Use Bylaw Amendment – Lot 1, Block 1, Plan 102 7102 (Abrams Land)
 - Public Hearing
 - Consideration of 2nd and 3rd readings

4. Sapræ Creek (East) – Lot 1, Block 1, Plan 082 1583
 - Bylaw No. 11/017 – Municipal Development Plan Amendment
 - Bylaw No. 11/018 – Area Structure Plan Amendments
 - Bylaw No. 11/019 – Land Use Bylaw Amendments
 - Public Hearing
 - Consideration of 2nd and 3rd readings
5. Sapræ Creek (Southwest) – Lot 1, Block 5, Plan 082 1581
 - Bylaw No. 11/020 – Municipal Development Plan Amendment
 - Bylaw No. 11/021 – Area Structure Plan Amendments
 - Bylaw No. 11/022 – Land Use Bylaw Amendments
 - Public Hearing
 - Consideration of 2nd and 3rd readings
6. Reserve Designation Removal and Consolidation – South Municipal Multi-Use Facility
 - Public Hearing
 - Reserve Designation Removal and Consolidation – South Municipal Multi-Use Facility

Bylaws

7. Bylaw No. 11/023 – Road Closure and Authorization to Sell (1st reading)

Reports

8. Expropriation – Road Right of Way within Lot 1, Block 1, Plan 012 3284 (Prairie Loop Boulevard)

New and Unfinished Business

Reporting - Boards and Committees

Adjournment

Unapproved Minutes of a Meeting of the Council of the Regional Municipality of Wood Buffalo held in the Council Chambers at the Municipal Offices in Fort McMurray, Alberta, on Tuesday, June 14, 2011, commencing at 6:00 p.m.

Present: M. Blake, Mayor
M. Allen, Councillor
D. Blair, Councillor
S. Germain, Councillor (arrived at 6:45 p.m.)
D. Kirschner, Councillor
P. Meagher, Councillor
D. Scott, Councillor
J. Stroud, Councillor
R. Thomas, Councillor
A. Vinni, Councillor

Absent: L. Flett, Councillor

Administration: G. Laubenstein, Chief Administrative Officer
S. Kanzig, Chief Legislative Officer
J. Callahan, Legislative Officer
M. Laing, Legislative Assistant/Recorder

Call to Order

Mayor Blake called the meeting to order at 6:13 p.m.

Opening Prayer

Mayor Blake invited those so inclined to join her in Prayer.

Agenda

11-167 Moved by Councillor Meagher that the agenda be adopted as presented.

CARRIED UNANIMOUSLY

Minutes

1. Council Meeting – May 24, 2011

11-168 Moved by Councillor Thomas that the minutes of the regular meeting held on May 24, 2011 be approved as presented.

CARRIED UNANIMOUSLY

Delegations

Jim Rogers, resident, spoke in opposition to the Delivery of Safety Codes report, noting his belief that public utilities are difficult to get back once prioritized.

11-169 Moved by Councillor Allen that the presentation made by Jim Rogers be received as information.

CARRIED UNANIMOUSLY

Terry Booth, President, Superior Safety Codes, spoke in opposition to the Delivery of Safety Codes report. He suggested that it would be appropriate to wait until the currently on-going review of the Safety Codes Act has been completed and approved by the Government of Alberta to ensure uniformity in application and interpretation of the code.

11-170 Moved by Councillor Allen that the presentation made by Terry Booth be received as information.

CARRIED UNANIMOUSLY

Presentations

2. Wes Holodniuk, Divisional Manager, Public Infrastructure re: Transportation Matters within the Urban Service Area

Wes Holodniuk, Divisional Manager, Public Infrastructure, provided an overview of mitigation measures being undertaken by the Municipality to ensure the safe and efficient movement of traffic through the urban service area, particularly during construction season.

Arrival

Councillor Germain joined the meeting at 6:45 p.m.

11-171 Moved by Councillor Meagher that the presentation made by Wes Holodniuk, Divisional Manager, Public Infrastructure, regarding Transportation Matters within the Urban Service Area be received as information.

CARRIED UNANIMOUSLY

Exit

Councillor Kirschner declared a potential pecuniary interest regarding the next business item and exited the Council Chamber at 6:49 p.m.

Bylaws**3. Bylaw No. 11/016 – Land Use Bylaw Amendment Lot 1, Block 1, Plan 102 7102 (Abrams Land)**

11-172 Moved by Councillor Meagher that Bylaw No. 11/016, being a Land Use Bylaw amendment specific to Lot 1, Block 1, Plan 102 7102 (Abrams Land) and an amendment to the Public Services District, be read a first time.

CARRIED UNANIMOUSLY

Return

Councillor Kirschner returned to the Council Chamber at 6:51 p.m.

4. Sapræ Creek (East) – Lot 1, Block 1, Plan 082 1583

- **Bylaw No. 11/017 – Municipal Development Plan Amendment**
- **Bylaw No. 11/018 – Area Structure Plan Amendments**
- **Bylaw No. 11/019 – Land Use Bylaw Amendments**

11-173 Moved by Councillor Vinni:

- THAT Bylaw No. 11/017, being an amendment to the Municipal Development Plan to change the designation of Lot 1, Block 1, Plan 082 1583 from Future Residential to Country Residential and from Rural to Country Residential, be read a first time; and
- THAT Bylaw No. 11/018, being an amendment to the Highway 69/Clearwater River Valley Area Structure Plan and Fort McMurray Municipal Airport Area Structure Plan to change the designation of Lot 1, Block 1, Plan 082 1583 from Proposed Country Residential and Environmentally Sensitive Areas to Existing Suburban Estate Residential, and an amendment to the Sapræ Creek Area Structure Plan to reduce the minimum lot size within the Hamlet of Sapræ Creek Estates from 1.0 hectares to 0.8 hectares on Lot 1, Block 1, Plan 082 1583, be read a first time; and
- THAT Bylaw No. 11/019, being a site specific amendment to the Land Use Bylaw to reduce the minimum lot size on Lot 1, Block 1, Plan 082 1583 from 1.0 hectare to 0.8 hectares, and change the designation from Rural District (RD) to Suburban Estate Residential District (SE), be read a first time.

CARRIED UNANIMOUSLY

5. **Saprae Creek (Southwest) – Lot 1, Block 5, Plan 082 1581**
- **Bylaw No. 11/020 – Municipal Development Plan Amendment**
 - **Bylaw No. 11/021 – Area Structure Plan Amendments**
 - **Bylaw No 11/022 – Land Use Bylaw Amendments**

11-174 Moved by Councillor Vinni:

- THAT Bylaw No. 11/020, being an amendment to the Municipal Development Plan to change the designation of Lot 1, Block 5, Plan 082 1581 from Rural to Country Residential, be read a first time; and
- THAT Bylaw No. 11/021, being an amendment to the Highway 69/ Clearwater River Valley Area Structure Plan to change the designation of Lot 1, Block 5, Plan 082 1581 from Environmentally Sensitive Areas to Existing Suburban Estate Residential, and the Fort McMurray Municipal Airport Area Structure Plan to change the designation of Lot 1, Block 5, Plan 082 1581 from Environmentally Sensitive Areas to Existing Suburban Estate Residential, and an amendment to the Saprae Creek Area Structure Plan to change the designation of Lot 1, Block 5, Plan 082 1581 from Recreation to Country Residential and reduce the minimum lot size from 1.0 hectare to 0.8 hectares within the Hamlet of Saprae Creek Estates, be read a first time; and
- THAT Bylaw No. 11/022, being an amendment to the Land Use Bylaw to reduce the minimum lot size within the Hamlet of Saprae Creek Estates from 1.0 hectare to 0.8 hectares, and to change the designation from Urban Expansion District (UE) to Suburban Estate Residential District (SE) on Lot 1, Block 5, Plan 082 1581, be read a first time.

CARRIED UNANIMOUSLY

Reports

6. Delivery of Safety Code Services

The following motion was presented by Councillor Thomas:

“THAT the Regional Municipality of Wood Buffalo retain its accreditation and provide safety code services within the Regional Municipality of Wood Buffalo; and
THAT the Regional Municipality of Wood Buffalo surrender its first rights to delivery of safety code services when requested to do so by an accredited corporation; and
THAT a high level monitoring and reporting program be implemented to scrutinize the process of delivering safety code services and to ensure strong adherence to the Municipality’s Uniform Quality Management Plans; and
THAT the Regional Municipality of Wood Buffalo be a responsive participant in any review of the safety codes as conducted by the Province.”

Mayor Blake asked Council if they would to allow one more speaker up to five minutes to speak under the Delegations portion as the speaker was delayed. All members of Council were in agreement.

Brandon Wild, Canadian Natural Resources Ltd., spoke in favour of the Delivery of Safety Codes report, noting that Canadian Natural is well positioned to establish, manage and maintain control of all safety related activities company wide.

11-175 Moved by Councillor Kirschner that the presentation made by Brandon Wild be received as information.

CARRIED UNANIMOUSLY

Councillor Scott proposed an amendment to the second recommendation to read:

11-176 Moved by Councillor Scott that the second bullet be changed to read as follows:

“THAT the Regional Municipal of Wood Buffalo may surrender its first rights to delivery of safety code services when requested to do so by an accredited corporation, upon municipal conditions.”

CARRIED UNANIMOUSLY

11-177 Moved by Councillor Thomas:

- THAT the Regional Municipality of Wood Buffalo retain its accreditation and provide safety code services within the Regional Municipality of Wood Buffalo; and
- THAT the Regional Municipality of Wood Buffalo may surrender its first rights to delivery of safety code services when requested to do so by an accredited corporation, upon municipal conditions; and
- THAT a high level monitoring and reporting program be implemented to scrutinize the process of delivering safety code services and to ensure strong adherence to the Municipality’s Uniform Quality Management Plans; and
- THAT the Regional Municipality of Wood Buffalo be a responsive participant in any review of the safety codes as conducted by the Province.

CARRIED

For: Blake, Allen, Blair, Germain,
Kirschner, Meagher, Scott, Stroud,
Thomas

Opposed: Vinni

7. Development Permit Application 2011-DP-00408 – Lot 3, Block 2, Plan 072 2934 (Gas Bar)

11-178 Moved by Councillor Thomas that Development Permit 2011-DP-00408 for Lot 3, Block 2, Plan 072 2934 be approved.
CARRIED UNANIMOUSLY

New and Unfinished Business

There was no new or unfinished business.

Reports on Boards and Committees

- Leadership Wood Buffalo (Councillor Thomas)
- Communities In Bloom Committee (Councillor Stroud)
- Announcement and congratulations to Councillor Scott on being elected as a Bencher for the Law Society of Alberta (Councillor Vinni)

Adjournment

11-179 Moved by Councillor Scott that the meeting be adjourned.
CARRIED UNANIMOUSLY

The meeting adjourned at 8:15 p.m.

Mayor

Chief Legislative Officer



Council Meeting Presentation Request

Completed requests to make a public presentation must be received by 12:00 noon on the Wednesday immediately prior to the scheduled meeting. Presentations are a maximum of 5 minutes in duration.

| Presentation Information | |
|---|--|
| Preferred Date of Presentation | June 28, 2011 |
| Name of Presenter(s) | Don Pugh, Ross Jacobs |
| Organization Represented | Community Futures Wood Buffalo |
| Topic | Annual Stakeholder Report |
| Please List Specific Points/Concerns | <ul style="list-style-type: none">- Explain who we are- Explain our linkage to the RMWB- Review our community impact |
| Action Being Requested of Council | Accept as information |
| <p>Are you providing any supporting documentation (ie: Powerpoint)? Yes</p> <p>If yes, the documentation <u>must</u> accompany this request, as handouts will not be distributed at the meeting. To ensure that your documents meet minimum standards, please see presentation guidelines on the next page.</p> <p>Supporting documents may be e-mailed to legislativeassistants@woodbuffalo.ab.ca.</p> | |

As per Procedure Bylaw No. 06/020, a request to make a presentation may be referred or denied.

Community Futures



Wood Buffalo

Stakeholder Engagement Presentation

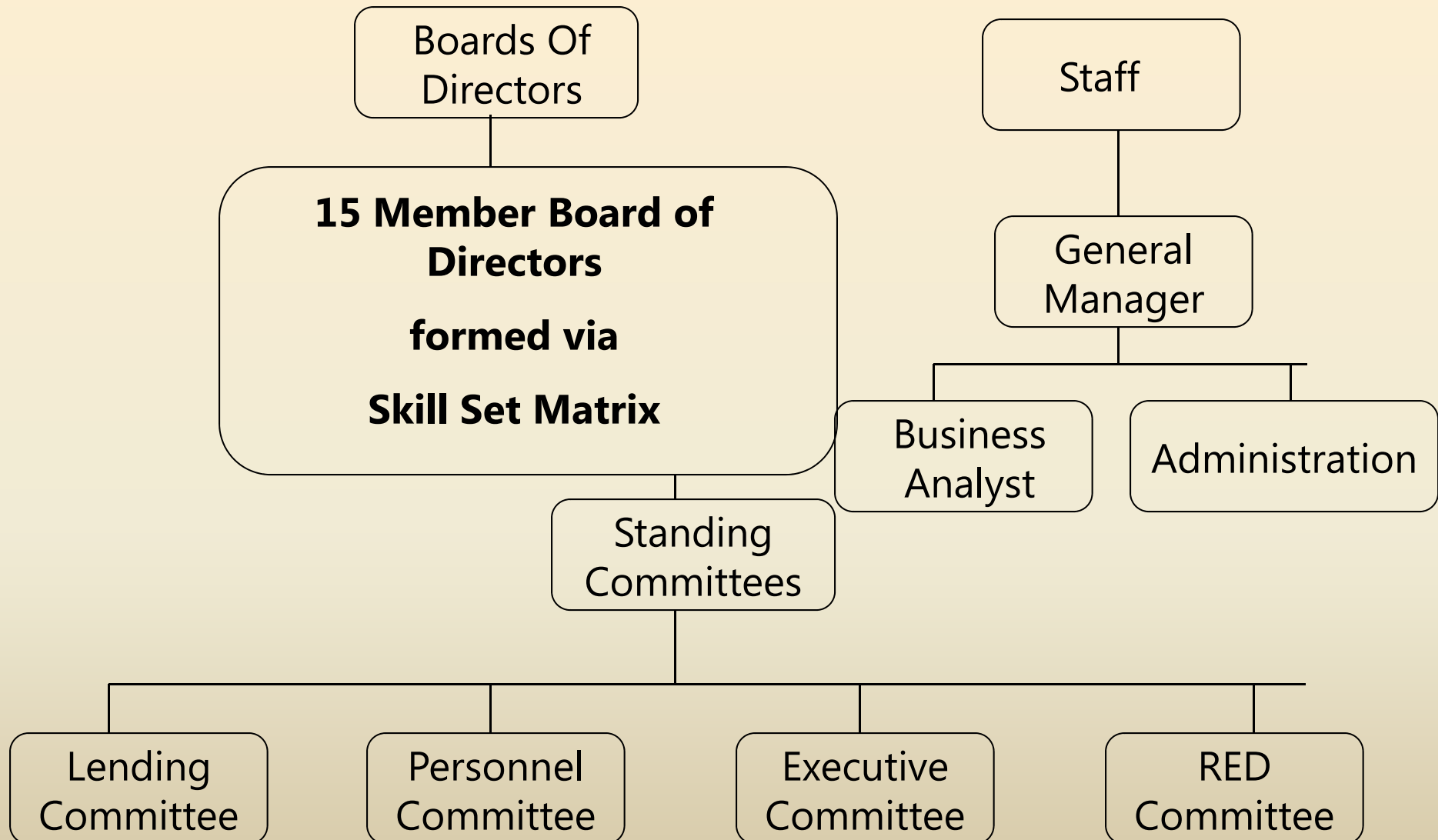
Presented By:

Ross Jacobs, General Manager – CFWB

Don Pugh – Vice Chair – CFWB

June 28, 2011

Our Structure



Linkage to the Regional Municipality of Wood Buffalo

- The service area of Community Futures Wood Buffalo mirrors the regional map of the RMWB
- The position of Manager of Economic Development (Jeff Penney) sits on our Board of Directors. That seat on our board is the only seat assigned to a specific organization, and position
- CFWB is a contributing stakeholder in RMWB and regional stakeholder committees. We provide insight to these groups on the challenges and successes of small business our region

Small Businesses are Essential to the Western Economy

- Over 85% of businesses in Western Canada have fewer than 20 employees
- 92% of small business owners want support but don't know where to find it
- Nearly one half of all small businesses close within two years of start-up in Canada.
- Over five million of Canada's 11 million workers are employed by small businesses, or 48% of the total labour force in the private sector.

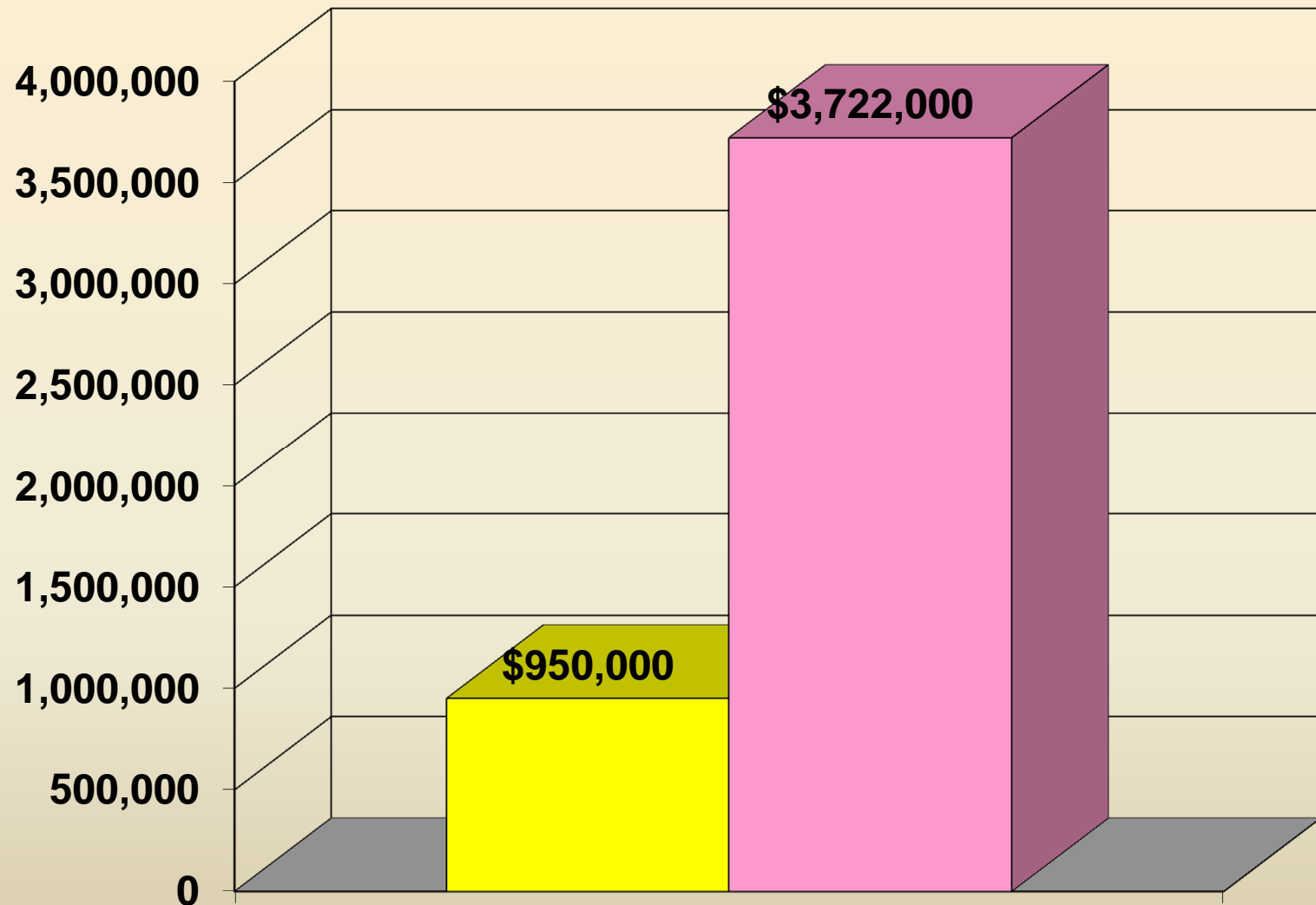
Our services include:

- Loans for entrepreneurs wishing to start, expand or purchase a small business
- One-on-one business counseling
- Workshops and coaching
- Strategic community planning and support for rural economies
- Video Conferencing / Board Room Rental

Many financial institutions and business organizations refer entrepreneurs directly to us

- We can often loan money to businesses that are turned down by traditional lenders
- We can work creatively with financial institutions on joint financing
- We offer counseling, coaching and workshops
- We believe in small business

Loan Funds



As at May 31, 2011

■ Projected Lending 2011/2012
■ Current Portfolio Balance - (57 Loans)

7 Branded Loans



ReadyCash



FlexLine



TrailBlazer



BizBuyout



NewBiz



NextGen



BusinessAble

The Impact on Our Region

| | |
|--|------------|
| CED Projects Engaged in | 8 |
| Advisory services provided to clients | 145 |
| Clients Served | 115 |
| Business Created | 14 |
| Training sessions delivered | 15 |
| Clients trained | 81 |
| Persons with disabilities served | 2 |
| Aboriginal clients served | 61 |
| Youth served | 67 |
| Jobs Created | 260 |
| Community Projects Undertaken | 21 |

Average of 2009 & 2010 fiscal year



Let's Build Wood Buffalo's Future Together!

Contact us with Questions

Ross Jacobs, General Manager
780-791-0330 or ross@cfwb.ca

Proposed Bylaw No. 11/016 Land Use Bylaw Amendment Lot 1, Block 1, Plan 102 7102 June 28, 2011

Presenter:

Pankaj Nalavde, RPP, MCIP

Planner / Urban Designer

Armin A. Preiksaitis &
Associated Ltd

On behalf of:

**Abram's Land
Development Corporation**

Context

Legal Description:

- Lot 1, Block 1, Plan 102 7102

Current Zoning:

- PS - Public Service District (amending Bylaw No 10/015)

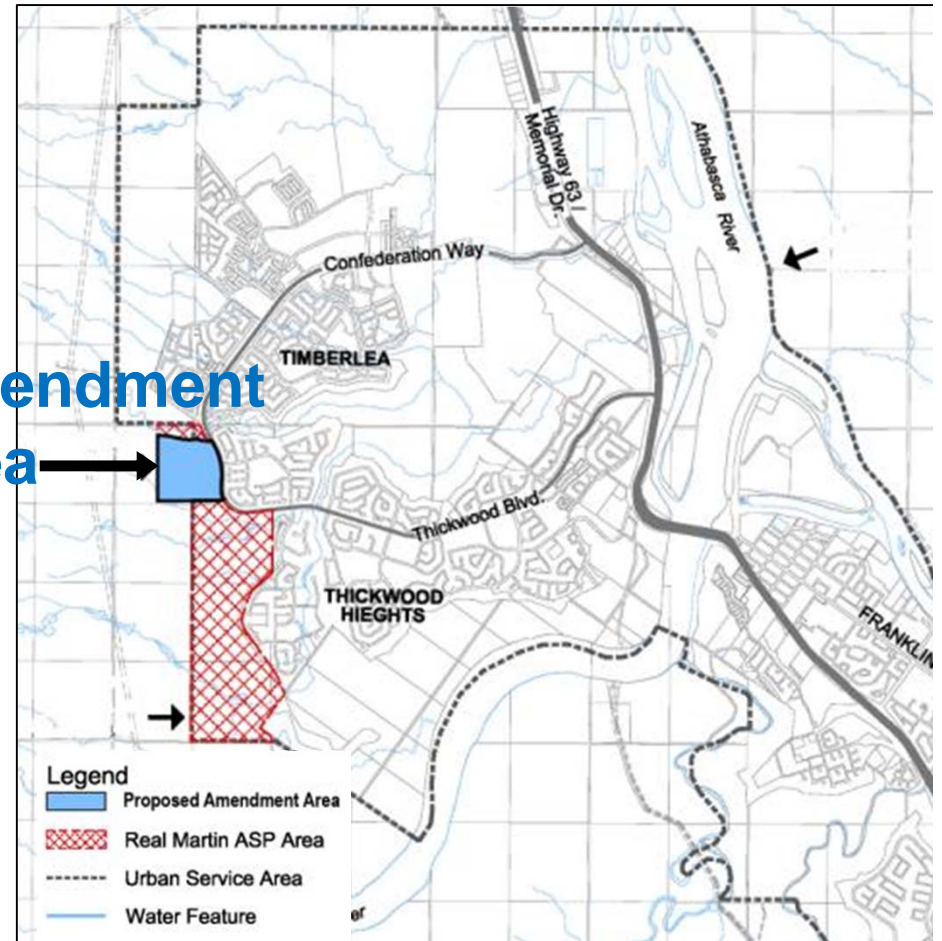
Statutory Plan:

- Real Martin West Area Structure Plan (Bylaw No 10/014)

Proposed Uses:

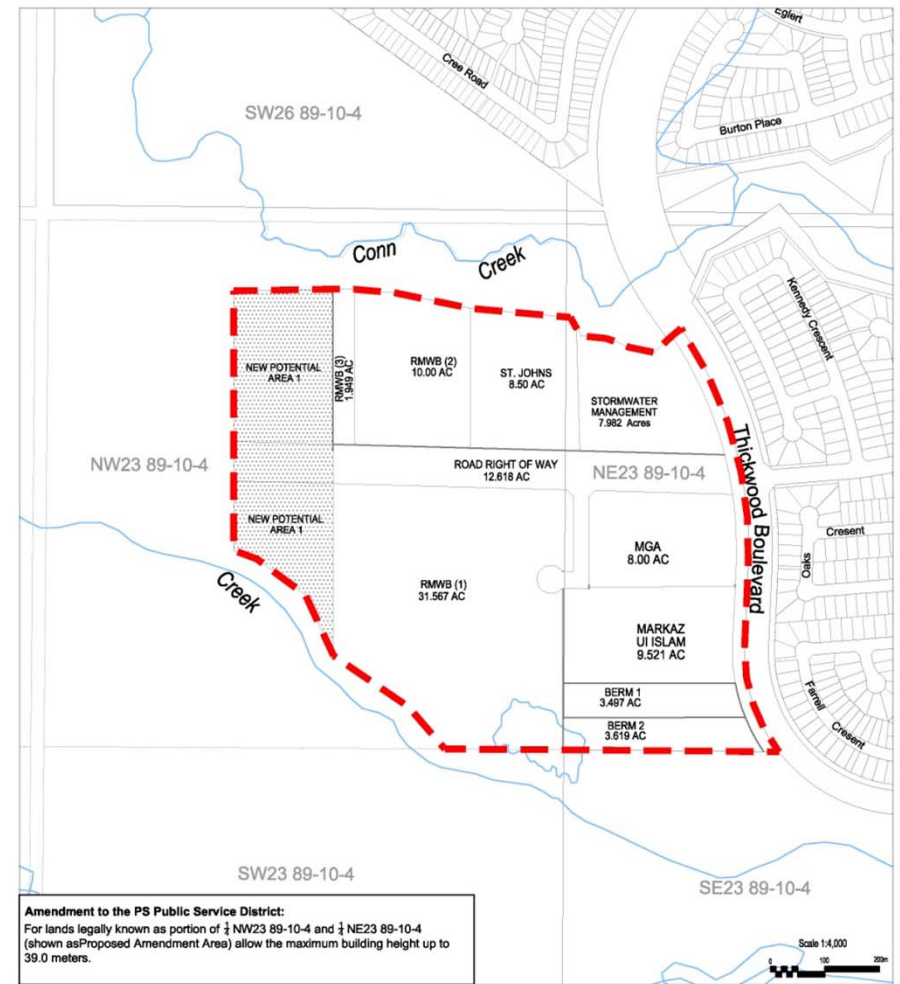
- Three Religious Assembly Buildings,
- RMWB Community Recreation Facility

Amendment Area



Purpose of Amendment

1. Allow “Community Recreation Facility” as a permitted use under the PS - Public Service District, without limiting it to Hamlets only.
2. On a site specific basis allow for additional building height up to a maximum of 39.0 meters.



Legend

- Proposed Amendment Area
- Amendment Area = 116.40 ac (47.1 ha)
- Existing Zoning = PS Public Service District

Proposed Amendment Area

Site Specific Text Amendment to
Regional Municipality Wood Buffalo
Land Use Bylaw No 99/059

ARMIN A. PREKSAITIS
& ASSOCIATES LTD.

Rationale for Amendment

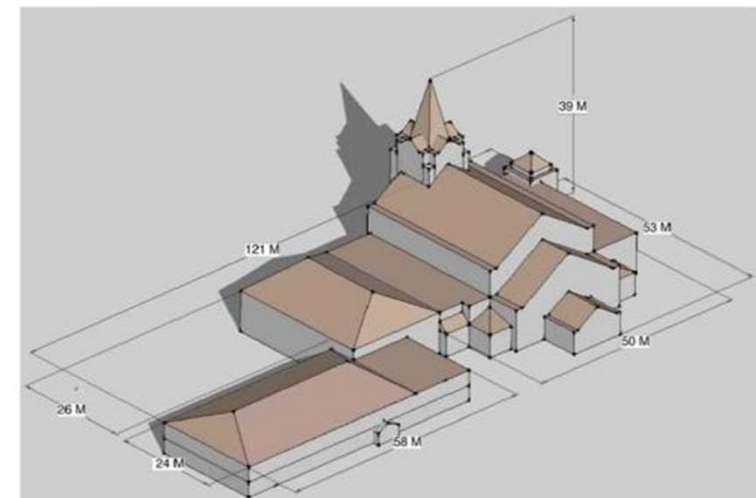
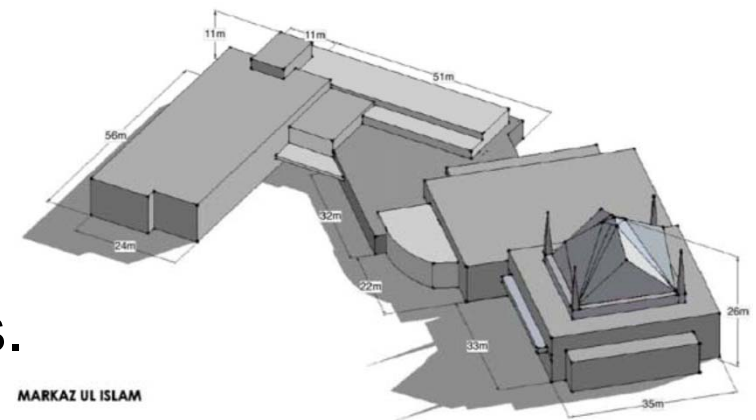
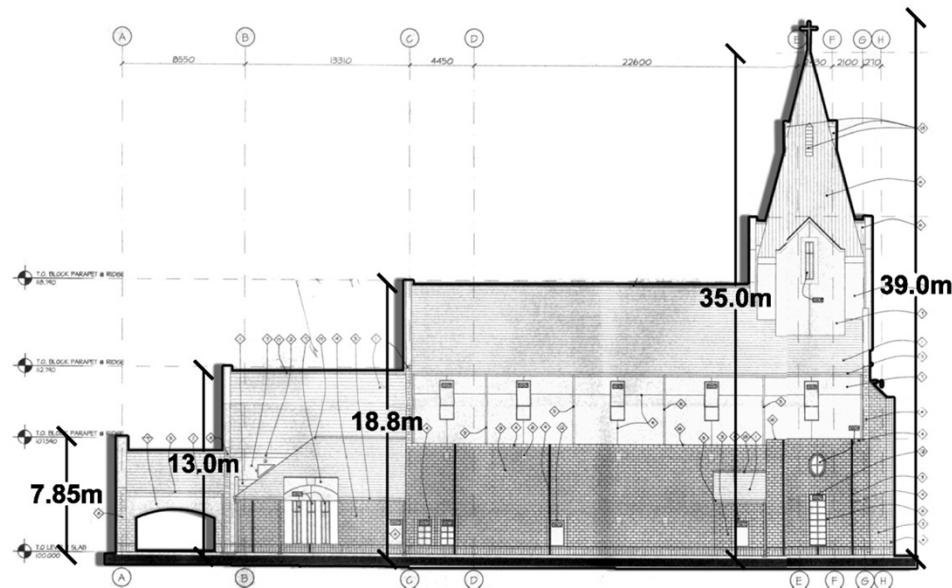
“Allow “Community Recreation Facility” as a permitted use under the PS Public Service District, without limiting it to Hamlets only.”

- **Community Recreation Facility:** *“means an indoor recreation facility intended to serve the community at large. Typical uses include swimming pools, hockey rinks, gymnasiums, tourist information/interpretive centre or a multi-purpose facility.”*
- **Public Service District:** Intended *“to provide for the development of buildings and uses for the delivery of educational, health, government, and other institutional services.”*
- The Community Recreation Facility use meets the core intent of the district and should be allowed where the district is accessible to the community at large.

Rationale for Amendment

“On a site specific basis allow for additional building height up to a maximum of 39.0 meters.”

- Large Institutional Buildings.
- Accommodate architectural features such as a Steeple or a Dome above congregation spaces.



St. John's Catholic Church

Questions ?

For Additional Information Contact:

Pankaj Nalavde, M.E.Des, RPP, MCIP

Planner

Armin A. Preiksaitis & Associated

Ph No: 780 423 6824

Fax No: 780 423 6850

Email: pankaj@arminap.ca

**Subject: Bylaw No. 11/016 – Land Use Bylaw Amendment
Lot 1, Block 1, Plan 102 7102 (Abrams Land)****APPROVALS:**

Kelly Kloss, Acting Chief Administrative Officer
Carol Theberge, Divisional Manager
Samuel Alatorre, Director

Administrative Recommendation:

THAT Bylaw No. 11/016, being a Land Use Bylaw amendment specific to Lot 1, Block 1, Plan 102 7102 (Abrams Land) and an amendment to the Public Services District, be read a second time.

THAT Bylaw No. 11/016, be read a third and final time.

Summary:

An application has been received to amend the Land Use Bylaw specific to Lot 1, Block 1, Plan 102 7102 (Attachment 2) to allow for development with a maximum height of 39.0 metres (from the current 12.2 metres) in the Public Services District.

Additionally, the application proposes an amendment to the Land Use Bylaw, Section 113.2 Permitted Uses (Attachment 3), to delete “(hamlets only)” after Community Recreation Facility in the Public Services District.

The authority to amend the Land Use Bylaw is vested with Council under the Municipal Government Act.

Background:

On May 25, 2010, Council approved two bylaws (No. 10/014 and No. 10/015) to amend the land use designation of the subject area. These amendments were intended “to support the development of faith centres, a continuing care facility and a municipal recreation facility.”

Located across from Dickinsfield on the west side of Thickwood Boulevard, the total development area is 62.3 ha, and the applicant has proposed to develop two churches, a mosque and a multi-use recreational centre.

Rationale for Recommendation:

Administration supports the proposed amendments to the Land Use Bylaw to allow for a maximum height of 39.0 metres in the subject area and the amendment to the Permitted Uses in

the Public Services District. These proposals align with the objectives of the Real Martin West Area Structure Plan and the Land Use Bylaw.

As stated in the Land Use Bylaw, the purpose of the Public Services District is “*to provide for the development of buildings and uses for the delivery of educational, health, government and other institutional services.*”

The parcel sizes for the proposed individual developments range from 3.43 ha to 12.77 ha, and the proposed building sizes range from approximately 7,900 m² to 34,200 m². Given the size of the developable area (62.3 ha) and the large scale of the proposed buildings, the 39.0 metre maximum height is complementary to the proposed developments.

Administration also supports amending the Land Use Bylaw, Section 113.2 to delete “(hamlets only)” after Community Recreational Facility, which is found in the list of Permitted Uses in the Public Services District. Currently this provision limits building community recreational facilities to rural hamlets only. Removing “(hamlets only)” after Community Recreational Facility in the Public Services District (Section 113.2) will allow for development of the proposed community recreational facility and also allow the option to provide such facilities in all Public Services Districts in the region.

If approved, the applicant will be required to prepare a detailed outline plan and enter into a development agreement prior to obtaining subdivision approval or development permits for individual structures.

A Traffic Impact Assessment for the area has been completed to the satisfaction of Administration. Administration is also satisfied by the preliminary outline plans that show onsite parking for the individual developments.

Administration supports the proposed amendment and recommends that Bylaw No. 11/016 be given first reading to allow for the scheduling of a public hearing.

Attachments:

1. Bylaw No. 11/016
2. Subject Area Map
3. Excerpt from the Land Use Bylaw – Section 13.3 Discretionary Uses

BYLAW NO. 11/016

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND LAND USE BYLAW NO. 99/059.

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto requires Council to enact a Land Use Bylaw;

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw;

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. THAT Bylaw No. 99/059 is hereby amended by:
 - a) allowing for a maximum height of 39.0 metres in the Public Services District (PS) on Lot 1, Block 1, Plan 102 7102; and
 - b) by removing “(hamlets only)” after Community Recreation Facility in Section 113.2 of the Land Use Bylaw.
2. THAT the Chief Administrative Officer be authorized to consolidate this bylaw.
3. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 14th day of June, A.D. 2011.

READ a second time this _____ day of _____, A.D. 2011.

READ a third and final time this _____ day of _____, A.D. 2011.

SIGNED and PASSED this _____ day of _____, A.D. 2011.

Mayor

Chief Legislative Officer

Excerpt from the Land Use Bylaw – Section 113.2 Permitted Uses

113.2 Permitted Uses*

The following are permitted uses:

Community Recreation Facility (hamlets only)

Community Service Facility

Educational Service Facility

Essential Public Service

Religious Assembly

Park

Parking Lot/Structure

Public Use/Utility

Accessory Building (*Bylaw No. 01/043*)

*** The uses listed as Permitted Uses apply only to those areas of the Regional Municipality of Wood Buffalo which lie outside of the Urban Service Area or those areas within the Urban Service Area to the North and West of the Athabasca River. In those parts of the Urban Service Area to the South and East of the Athabasca River all uses listed as Permitted Uses under this section shall be considered Discretionary Uses – Development Officer and shall not be considered as Permitted Uses. (*Bylaw No. 07/036*)**



REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**

Council Meeting Presentation Request

Completed requests to make a public presentation must be received by 12:00 noon on the Wednesday immediately prior to the scheduled meeting. Presentations are a maximum of 5 minutes in duration.

| Presentation Information | |
|--|---|
| Preferred Date of Presentation | June 28, 2011 |
| Name of Presenter(s) | Darrell Grant Dennis Doherty |
| Organization Represented | Brown & Associates Planning Group – Applicant Pacific Investments & Development Ltd.– Landowner |
| Topic | Saprae Creek (East) Bylaw Nos. 11/017, 11/018, 11/019 |
| Please List Specific Points/Concerns | Support of Bylaw Nos. 11/017, 11/018, 11/019 in order to ultimately make a subdivision application for minimum 2-acre residential parcels |
| Action Being Requested of Council | Support of Council granting second and third readings of the Bylaw |
| <p>Are you providing any supporting documentation (ie: Powerpoint)? No</p> <p>If yes, the documentation <u>must</u> accompany this request, as handouts will not be distributed at the meeting. To ensure that your documents meet minimum standards, please see presentation guidelines on the next page.</p> <p>Supporting documents may be e-mailed to legislativeassistants@woodbuffalo.ab.ca.</p> | |

As per Procedure Bylaw No. 06/020, a request to make a presentation may be referred or denied.

Subject: Saprae Creek (East) – Lot 1, Block 1, Plan 082 1583
Bylaw No. 11/017 – Municipal Development Plan Amendment
Bylaw No. 11/018 – Area Structure Plan Amendments
Bylaw No. 11/019 – Land Use Bylaw Amendments

APPROVALS:

Glen Laubenstein, Chief Administrative Officer
Carol Theberge, Divisional Manager
Samuel Alatorre, Director

Administrative Recommendation(s):

1. THAT Bylaw No. 11/017, being an amendment to the Municipal Development Plan to change the designation of Lot 1, Block 1, Plan 082 1583 from Future Residential to Country Residential and from Rural to Country Residential, be read a second time.
2. THAT Bylaw No. 11/017, be read a third and final time
3. THAT Bylaw No. 11/018, being an amendment to the Highway 69/Clearwater River Valley Area Structure Plan and Fort McMurray Municipal Airport Area Structure Plan to change the designation of Lot 1, Block 1, Plan 082 1583 from Proposed Country Residential and Environmentally Sensitive Areas to Existing Suburban Estate Residential, and an amendment to the Saprae Creek Area Structure Plan to reduce the minimum lot size within the Hamlet of Saprae Creek Estates from 1.0 hectares to 0.8 hectares on Lot 1, Block 1, Plan 082 1583, be read a second time.
4. THAT Bylaw No. 11/018, be read a third and final time.
5. THAT Bylaw No. 11/019, being a site specific amendment to the Land Use Bylaw to reduce the minimum lot size on Lot 1, Block 1, Plan 082 1583 from 1.0 hectare to 0.8 hectares, and change the designation from Rural District (RD) to Suburban Estate Residential District (SE), be read a second time.
6. THAT Bylaw No. 11/019, be read a third and final time.

Summary:

An application has been made to amend the Municipal Development Plan, the Highway 69/Clearwater River Valley Area Structure Plan, the Fort McMurray Municipal Airport Area Structure Plan, the Saprae Creek Area Structure Plan, and the Land Use Bylaw to permit residential development on Lot 1, Block 1, Plan 082 1583 in Saprae Creek.

The authority to amend the Municipal Development Plan, Area Structure Plans, and the Land Use Bylaw is vested with Council under the Municipal Government Act.

Background:

On June 8, 2010, the applicant held a public open house for a development proposal. At that time, the applicant proposed high density, multi-family units with large open spaces. The community, however, expressed that this design concept does not meet the general identity of the community and therefore did not support the proposal.

Based on feedback from the open house, the amendment application was submitted in November 2010 with new design concepts for single family residential. The updated proposal to expand the residential area of Saprae Creek will add approximately 33 residential lots to the community.

Rationale for Recommendation(s):

Administration supports the proposed amendments as they will allow for the development of additional residential lots in a manner that is compatible with the Saprae Creek community.

As Saprae Creek is an existing community, the residential expansion will utilize current infrastructure. Administration has reviewed geotechnical reports and is satisfied that all requirements will be met by the developer.

The minimum lot size proposed is 0.8 ha and will not meet current requirements (1.0 ha) as stipulated in the Land Use Bylaw. Although this is below the current requirements, there are already portions of the community that have lot sizes of 0.8 ha. Amendments to the Saprae Creek Area Structure Plan and the Land Use Bylaw will, therefore, align statutory documentation with current development in the area.

Administration supports the amendments and recommends that the proposed bylaws be given first reading to allow for the scheduling of a public hearing.

Attachments:

1. Bylaw No. 11/017
2. Bylaw No. 11/018
3. Bylaw No. 11/019
4. Subject Area Map

BYLAW NO. 11/017

**BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO
AMEND THE MUNICIPAL DEVELOPMENT PLAN BYLAW NO. 00/005**

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting a Municipal Development Plan.

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Municipal Development Plan.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. THAT Bylaw No. 00/005 is hereby amended by redesignating Lot 1, Block 1, Plan 082 1583 from Future Residential to Country Residential and from Rural to Country Residential, as shown in Schedule A.
2. THAT the Chief Administrative Officer is authorized to consolidate this bylaw.
3. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 14th day of June A.D 2011.

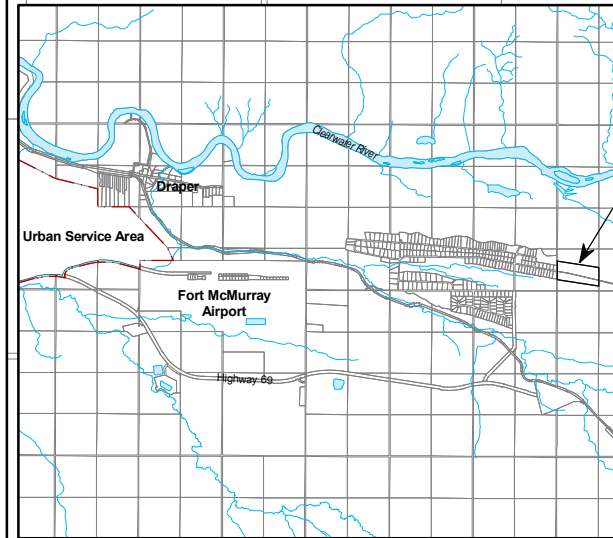
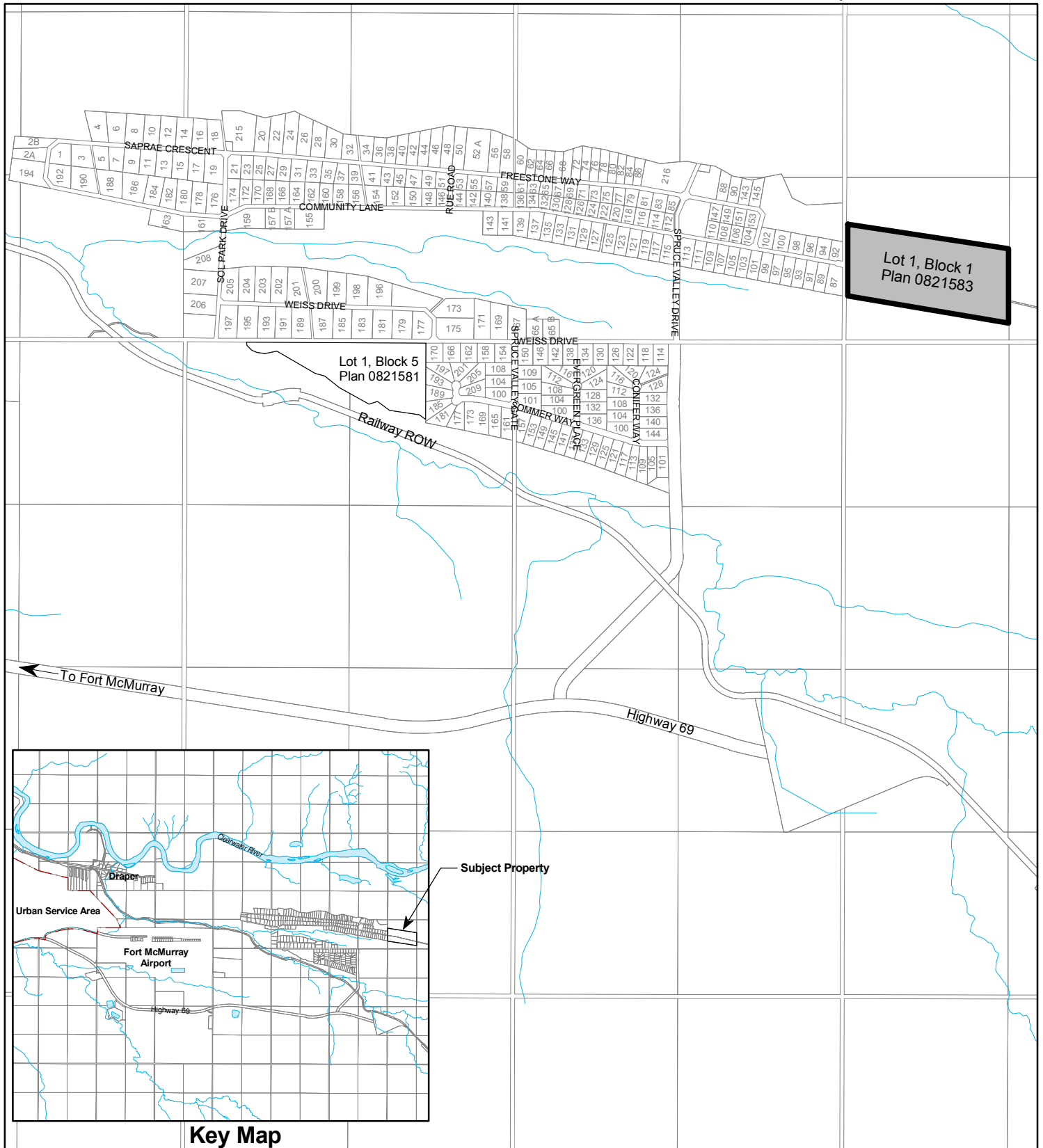
READ a second time this _____ day of _____, A.D. 2011.

READ a third and final time this _____ day of _____, A.D. 2011.

SIGNED and PASSED this _____ day of _____, A.D. 2011.

Mayor

Chief Legislative Officer



Key Map

Municipal Development Plan Amendment



From Future Residential To Country Residential and
From Rural To Country Residential
Lot 1, Block 1, Plan 082 1583



BYLAW NO. 11/018

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND THE HIGHWAY 69/CLEARWATER RIVER VALLEY AREA STRUCTURE PLAN BYLAW NO. 99/058, THE FORT MCMURRAY MUNICIPAL AIRPORT AREA STRUCTURE PLAN BYLAW NO. 03/062, AND THE SAPRAE CREEK AREA STRUCTURE PLAN ORDER NUMBER FM 19-94

WHEREAS Section 633 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting an Area Structure Plan;

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend an Area Structure Plan;

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. THAT Bylaw No. 99/058 is hereby amended by redesignating Lot 1, Block 1, Plan 082 1583 from Environmentally Sensitive Areas to Existing Suburban Estate Residential and from Proposed Country Residential to Existing Suburban Estate Residential, as shown in Schedule A.
2. THAT Bylaw No. 03/062 is hereby amended by redesignating Lot 1, Block 1, Plan 082 1583 from Proposed Country Residential to Existing Suburban Estate Residential and from Environmentally Sensitive Areas to Existing Suburban Estate Residential, as shown in Schedule B.
3. THAT Order Number FM 19-94 is hereby amended by reducing the minimum lot size from 1.0 hectares to 0.8 hectares on Lot 1, Block 1, Plan 082 1583.
4. THAT the Chief Administrative Officer is authorized to consolidate this bylaw.
5. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 14th day of June, A.D 2011.

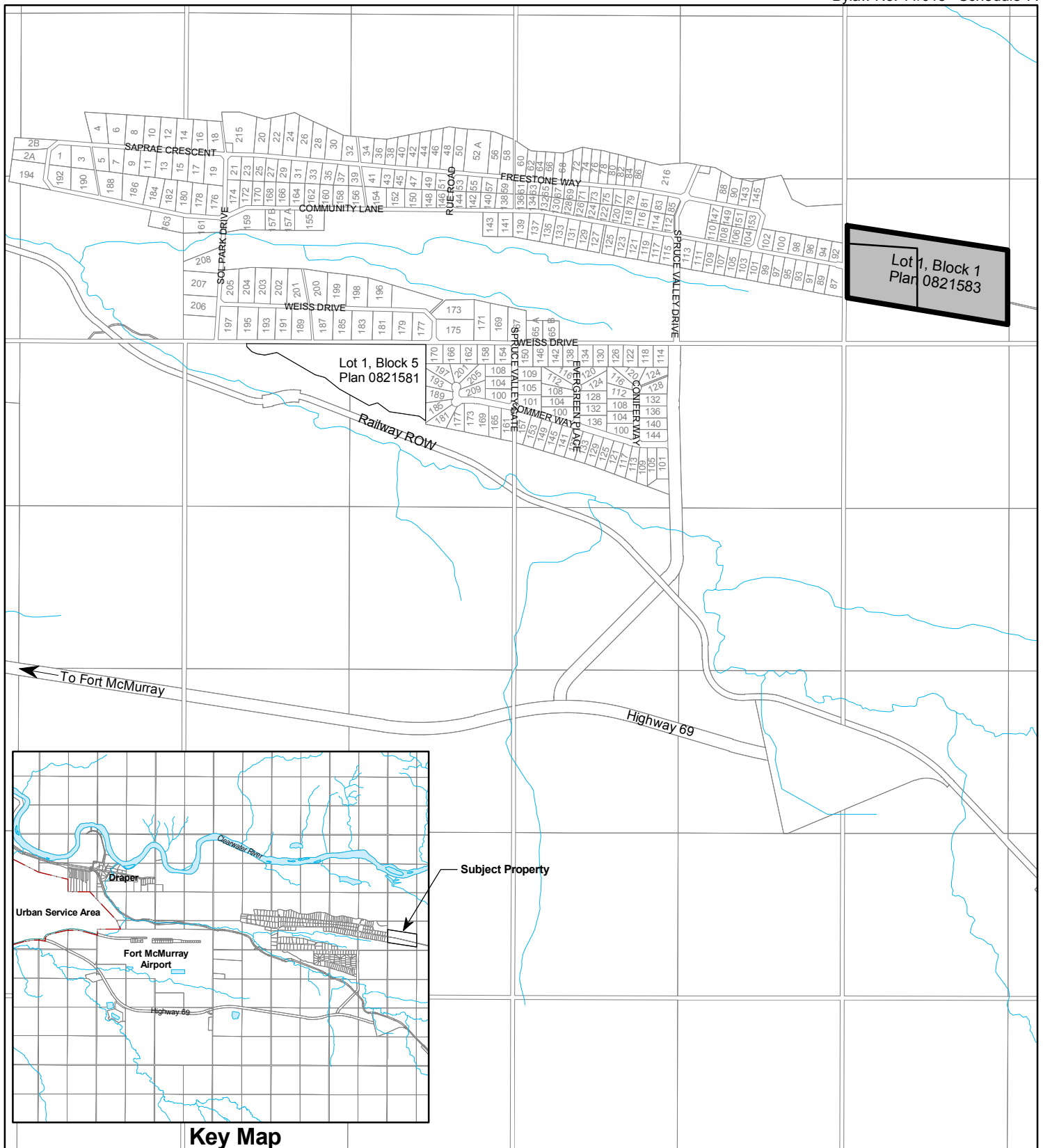
READ a second time this _____ day of _____, A.D. 2011.

READ a third and final time this _____ day of _____, A.D. 2011.

SIGNED and PASSED this _____ day of _____, A.D. 2011.

Mayor

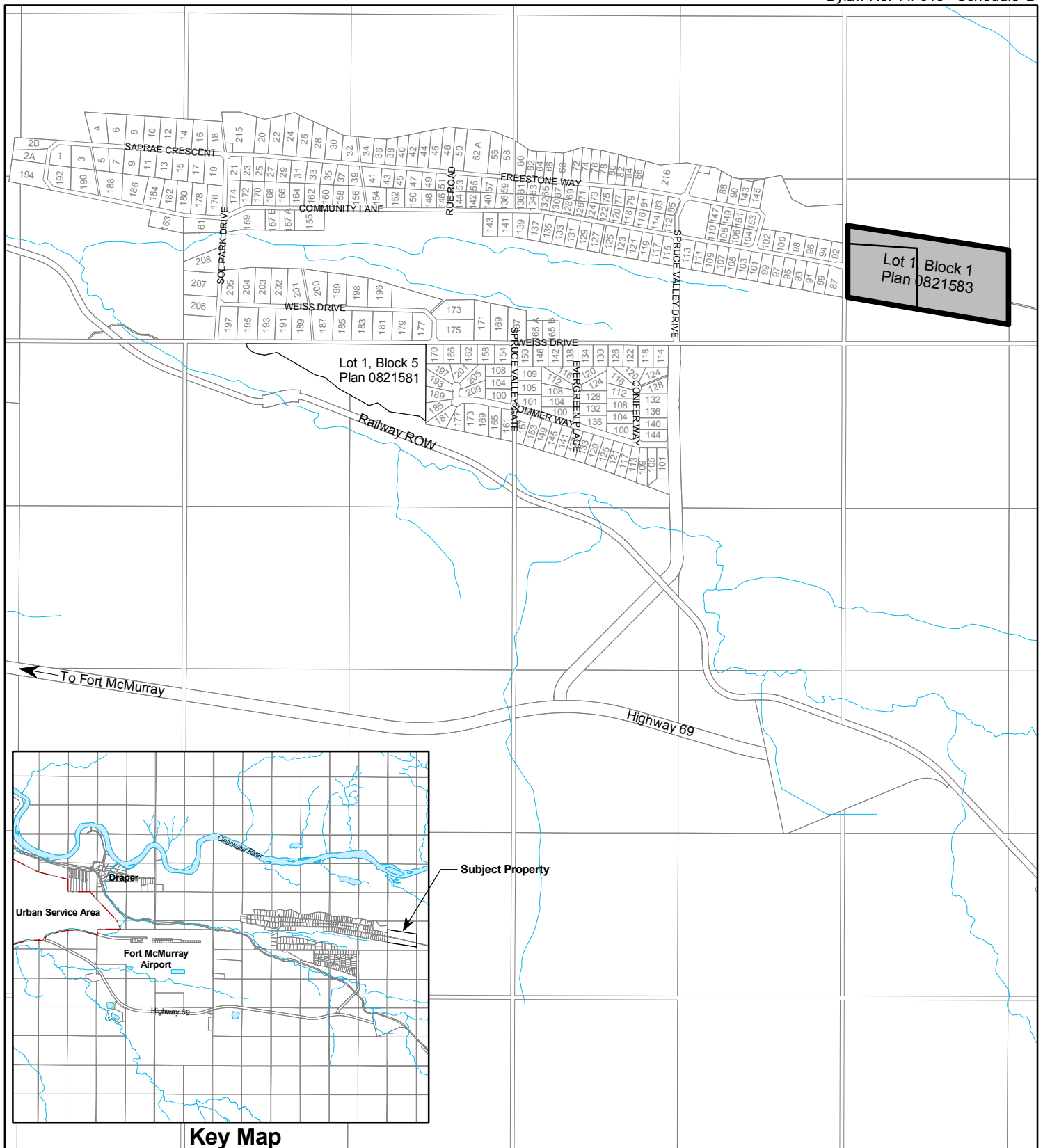
Chief Legislative Officer



Highway 69/Clearwater River Valley Area Structure Plan Amendment

 From Environmentally Sensitive Areas and Proposed Country Residential
To Existing Suburban Estate Residential
Lot 1, Block 1, Plan 082 1583





Key Map

Fort McMurray Municipal Airport Area Structure Plan Amendment



From Proposed Country Residential and Environmentally Sensitive Areas
To Existing Suburban Estate Residential
Lot 1, Block 1, Plan 082 1583



BYLAW NO. 11/019

**BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO
AMEND LAND USE BYLAW NO. 99/059**

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting a Land Use Bylaw.

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. THAT Bylaw No. 99/059 is hereby amended by:
 - a) redesignating Lot 1, Block 1, Plan 082 1583 from Rural District (RD) to Suburban Estate Residential District (SE), as shown in Schedule A; and
 - b) reducing the minimum lot size from 1.0 hectares to 0.8 hectares within the Hamlet of Sapræ Creek Estates.
2. THAT the Chief Administrative Officer is authorized to consolidate this bylaw.
3. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 14th day of June, A.D 2011.

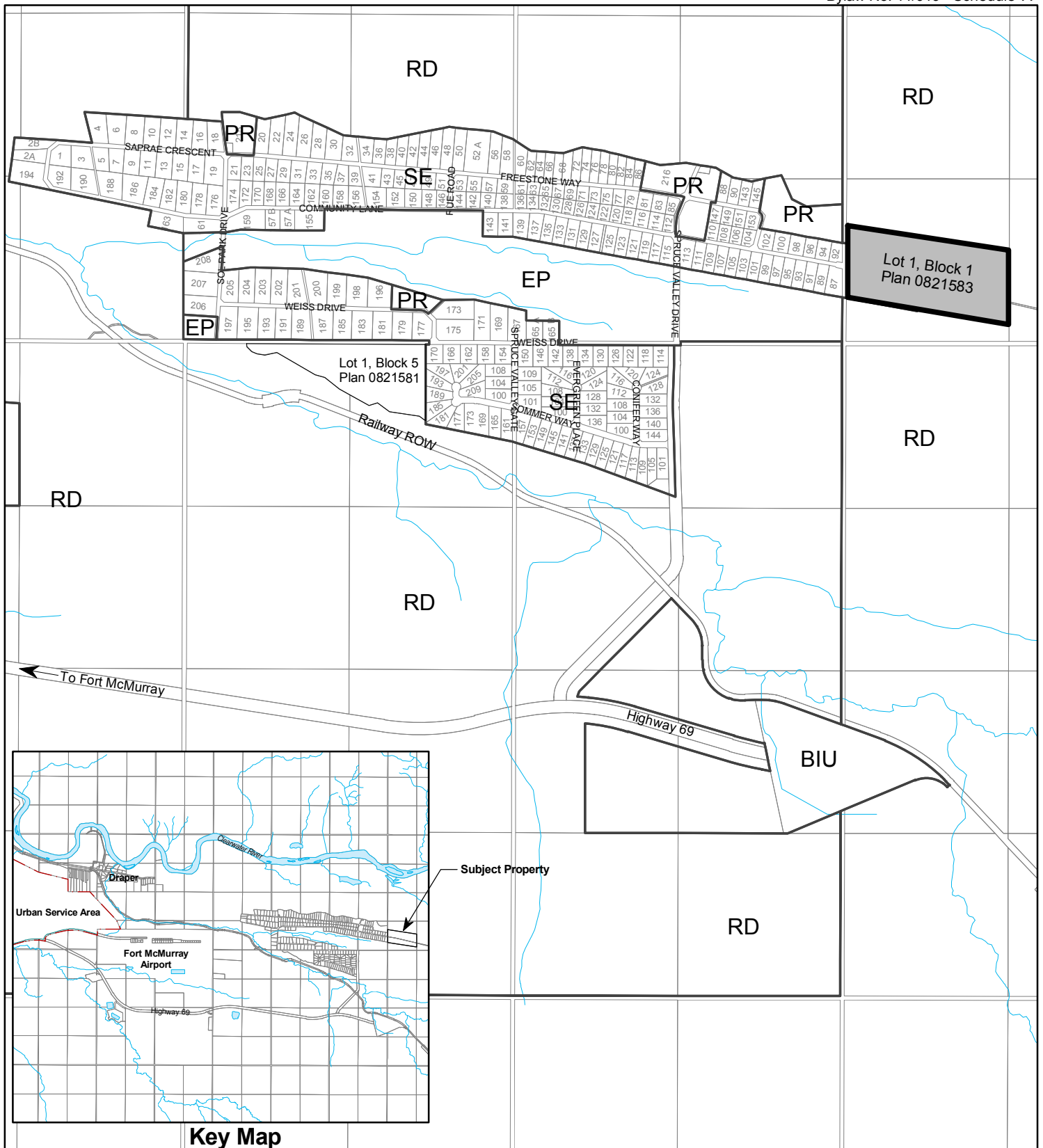
READ a second time this _____ day of _____, A.D. 2011.

READ a third and final time this _____ day of _____, A.D. 2011.


SIGNED and PASSED this _____ day of _____, A.D. 2011.

Mayor

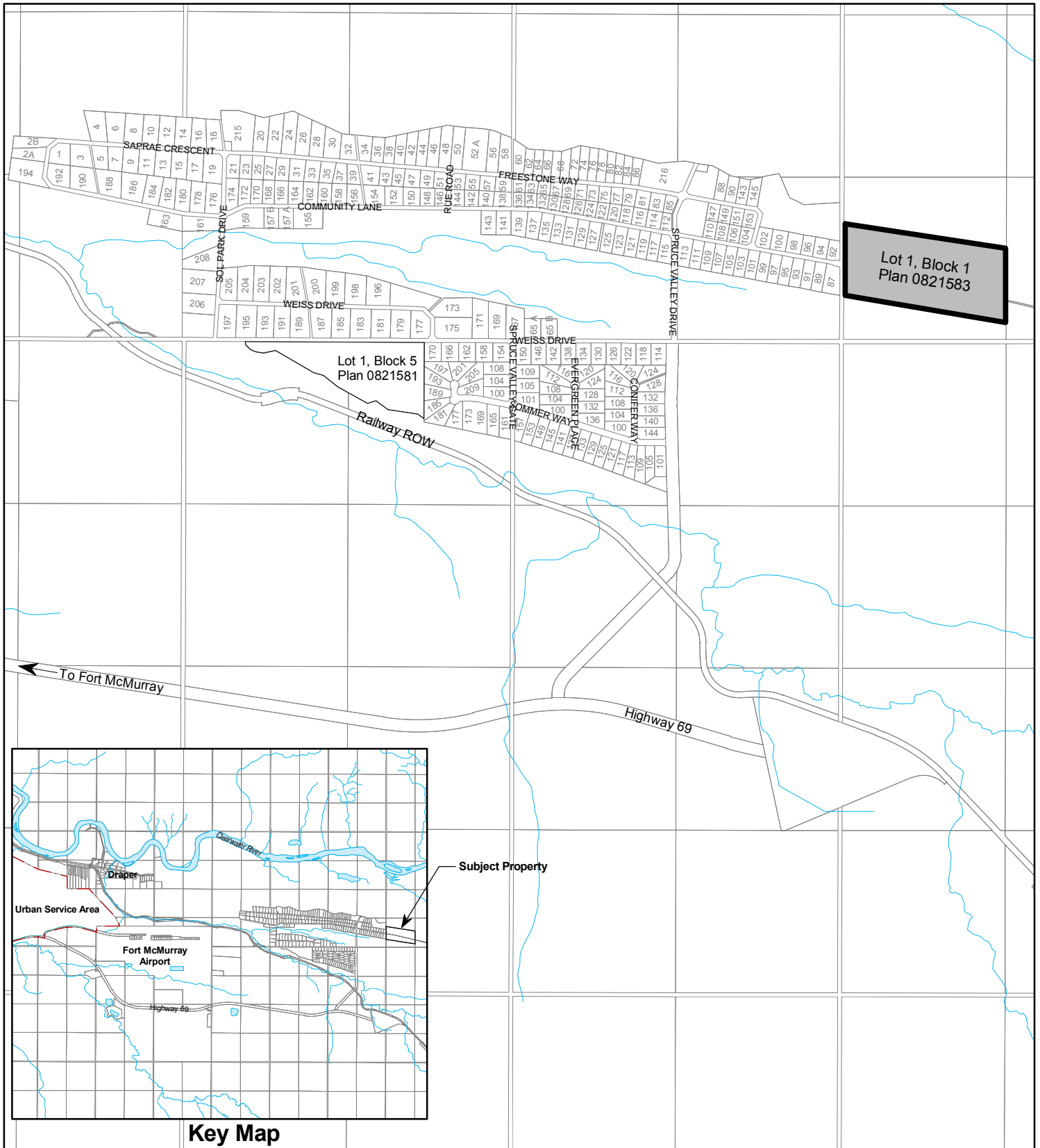
Chief Legislative Officer



Land Use Bylaw Amendment

 From Rural District (RD) To Suburban Estate Residential District (SE)
Lot 1, Block 1, Plan 082 1583





Subject Property - Lot 1, Block 1, Plan 082 1583 (Saprae Creek Estates)





REGIONAL MUNICIPALITY
OF **WOOD BUFFALO**

Council Meeting Presentation Request

Completed requests to make a public presentation must be received by 12:00 noon on the Wednesday immediately prior to the scheduled meeting. Presentations are a maximum of 5 minutes in duration.

| Presentation Information | |
|--|---|
| Preferred Date of Presentation | June 28, 2011 |
| Name of Presenter(s) | Darrell Grant Dennis Doherty |
| Organization Represented | Brown & Associates Planning Group – Applicant Pacific Investments & Development Ltd. – Landowner |
| Topic | Saprae Creek (Southwest) Bylaw Nos. 11/020, 11/021, 11/022 |
| Please List Specific Points/Concerns | Support of Bylaw Nos. 11/020, 11/021, 11/022 in order to ultimately make a subdivision application for minimum 2-acre residential parcels |
| Action Being Requested of Council | Support of Council granting second and third readings of the Bylaw |
| <p>Are you providing any supporting documentation (ie: Powerpoint)? No</p> <p>If yes, the documentation <u>must</u> accompany this request, as handouts will not be distributed at the meeting. To ensure that your documents meet minimum standards, please see presentation guidelines on the next page.</p> <p>Supporting documents may be e-mailed to legislativeassistants@woodbuffalo.ab.ca.</p> | |

As per Procedure Bylaw No. 06/020, a request to make a presentation may be referred or denied.

Subject: Saprae Creek (Southwest) – Lot 1, Block 5, Plan 082 1581
Bylaw No. 11/020 – Municipal Development Plan Amendment
Bylaw No. 11/021 – Area Structure Plan Amendments
Bylaw No. 11/022 – Land Use Bylaw Amendments

APPROVALS:

Kelly Kloss, Acting Chief Administrative Officer
Carol Theberge, Divisional Manager
Samuel Alatorre, Director

Administrative Recommendation(s):

1. THAT Bylaw No. 11/020, being an amendment to the Municipal Development Plan to change the designation of Lot 1, Block 5, Plan 082 1581 from Rural to Country Residential, be read a second time.
2. THAT Bylaw No. 11/020, be read a third and final time.
3. THAT Bylaw No. 11/021, being an amendment to the Highway 69/ Clearwater River Valley Area Structure Plan to change the designation of Lot 1, Block 5, Plan 082 1581 from Environmentally Sensitive Areas to Existing Suburban Estate Residential, and the Fort McMurray Municipal Airport Area Structure Plan to change the designation of Lot 1, Block 5, Plan 082 1581 from Environmentally Sensitive Areas to Existing Suburban Estate Residential, and an amendment to the Saprae Creek Area Structure Plan to change the designation of Lot 1, Block 5, Plan 082 1581 from Recreation to Country Residential and reduce the minimum lot size from 1.0 hectare to 0.8 hectares within the Hamlet of Saprae Creek Estates, be read a second time.
4. THAT Bylaw No. 11/021, be read a third and final time.
5. THAT Bylaw No. 11/022, being an amendment to the Land Use Bylaw to reduce the minimum lot size within the Hamlet of Saprae Creek Estates from 1.0 hectare to 0.8 hectares, and to change the designation from Urban Expansion District (UE) to Suburban Estate Residential District (SE) on Lot 1, Block 5, Plan 082 1581, be read a second time.
6. THAT Bylaw No. 11/022, be read a third and final time.

Summary:

An application has been made to amend the Municipal Development Plan, the Highway 69/ Clearwater River Valley Area Structure Plan, the Fort McMurray Municipal Airport Area

Structure Plan, the Sapræ Creek Area Structure Plan, and the Land Use Bylaw to permit residential development on Lot 1, Block 5, Plan 082 1581 in Sapræ Creek.

The authority to amend the Municipal Development Plan, Area Structure Plans, and the Land Use Bylaw is vested with Council under the Municipal Government Act.

Background:

On June 8, 2010, the applicant held a public open house for a development proposal. At that time, the applicant proposed high density, multi-family units with large open spaces. The community, however, expressed that this design concept does not meet the general identity of the community and therefore did not support the proposal.

Based on feedback from the open house, the amendment application was submitted in November 2010 with new design concepts for single family residential. The updated proposal to expand the residential area of Sapræ Creek will add approximately 19 residential lots to the community.

Rationale for Recommendation(s):

Administration supports the proposed amendments as they will allow for the development of additional residential lots in a manner that is compatible with the Sapræ Creek community.

As Sapræ Creek is an existing community, the residential expansion will utilize current infrastructure. Administration has reviewed geotechnical reports and is satisfied that all requirements will be met by the developer.

The Airport Authority has confirmed that there will not be a conflict between the existing airport or the proposed expansion to the airport and the proposed residential expansion of Sapræ Creek. However, it has been advised that due to the proximity of the development to the level 30 Noise Exposure Forecast Contour, there could be noise from the aircraft movement in the area. They encourage developers and builders to familiarize themselves with aircraft noise regulations.

The minimum lot size proposed is 0.8 ha and will not meet current requirements (1.0 ha) as stipulated in the Land Use Bylaw. Although this is below the current requirements, there are already portions of the community that have lot sizes of 0.8 ha. Amendments to the Sapræ Creek Area Structure Plan and the Land Use Bylaw will, therefore, align statutory documentation with current development in the area.

Administration supports the amendments and recommends that the proposed bylaws be given first reading to allow for the scheduling of a public hearing.

Attachments:

1. Bylaw No. 11/020
2. Bylaw No. 11/021
3. Bylaw No. 11/022
4. Subject Area Map

BYLAW NO. 11/020

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND MUNICIPAL DEVELOPMENT PLAN BYLAW NO. 00/005

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting a Municipal Development Plan.

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Municipal Development Plan.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. THAT Bylaw No. 00/005 is hereby amended by redesignating Lot 1, Block 5, Plan 082 1581 from Rural to Country Residential, as shown in Schedule A.
2. THAT the Chief Administrative Officer is authorized to consolidate this bylaw.
3. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 14th day of June, A.D 2011.

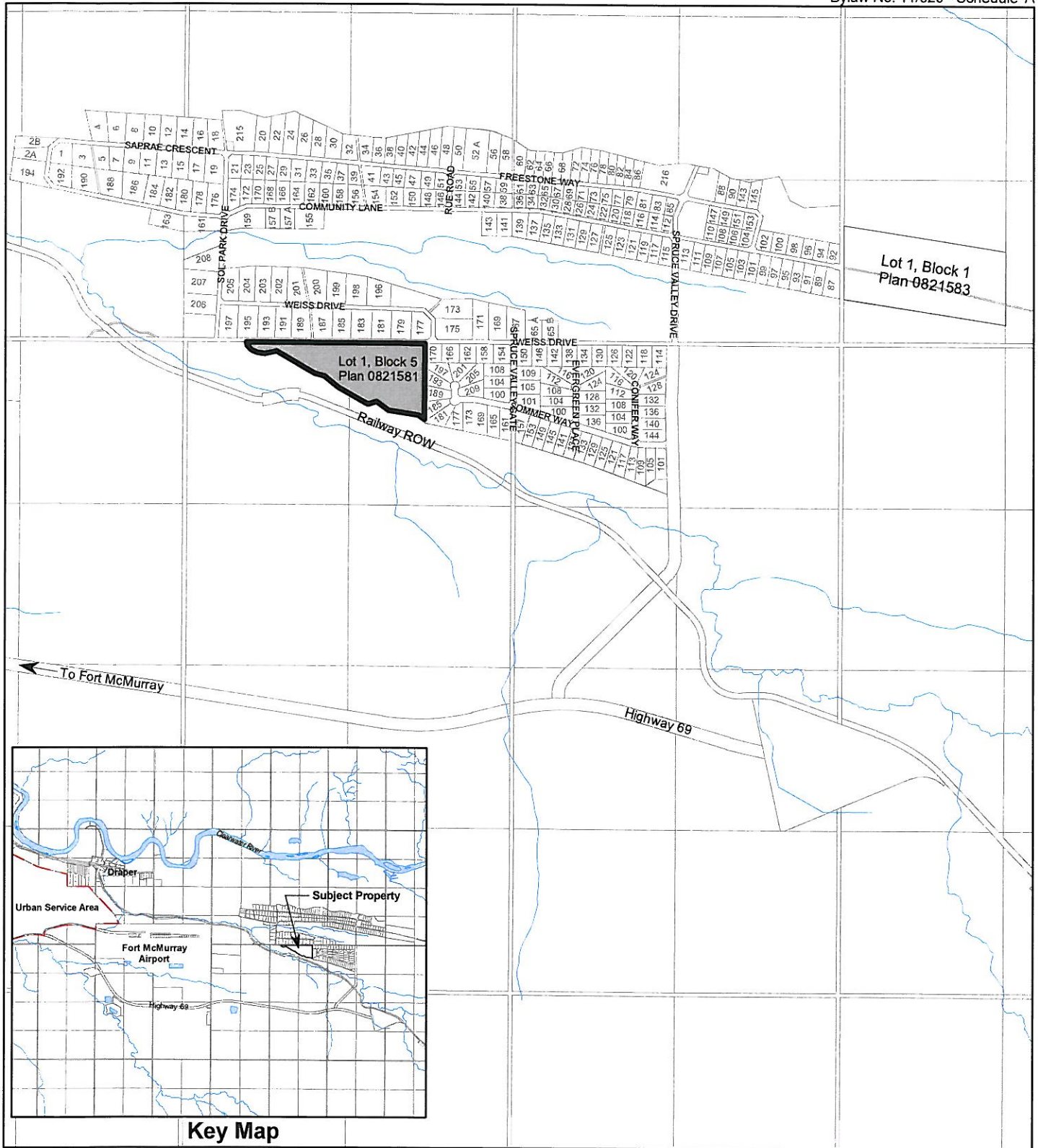
READ a second time this _____ day of _____, A.D. 2011.

READ a third and final time this _____ day of _____, A.D. 2011.


SIGNED and PASSED this _____ day of _____, A.D. 2011.

Mayor

Chief Legislative Officer



Municipal Development Plan Amendment

 From Rural To Country Residential
Lot 1, Block 5, Plan 0821581



BYLAW NO. 11/021

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO AMEND THE HIGHWAY 69/CLEARWATER RIVER VALLEY AREA STRUCTURE PLAN BYLAW NO. 99/058, THE FORT MCMURRAY MUNICIPAL AIRPORT AREA STRUCTURE PLAN BYLAW NO. 03/062, AND THE SAPRAE CREEK AREA STRUCTURE PLAN ORDER NUMBER FM 19-94

WHEREAS Section 633 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting an Area Structure Plan;

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend an Area Structure Plan;

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. THAT Bylaw No. 99/058 is hereby amended by redesignating Lot 1, Block 5, Plan 082 1581 from Environmentally Sensitive Areas to Existing Suburban Estate Residential, as shown in Schedule A.
2. THAT Bylaw No. 03/062 is hereby amended by redesignating Lot 1, Block 5, Plan 082 1581 from Environmentally Sensitive Areas to Existing Suburban Estate Residential, as shown in Schedule B.
3. THAT Order Number FM19-94 is hereby amended by:
 - a) redesignating Lot 1, Block 5, Plan 082 1581 from Recreation to Country Residential, as shown in Schedule C; and
 - b) reducing the minimum lot size from 1.0 hectare to 0.8 hectares.
4. THAT the Chief Administrative Officer is authorized to consolidate this bylaw.
5. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 14th day of June, A.D 2011.

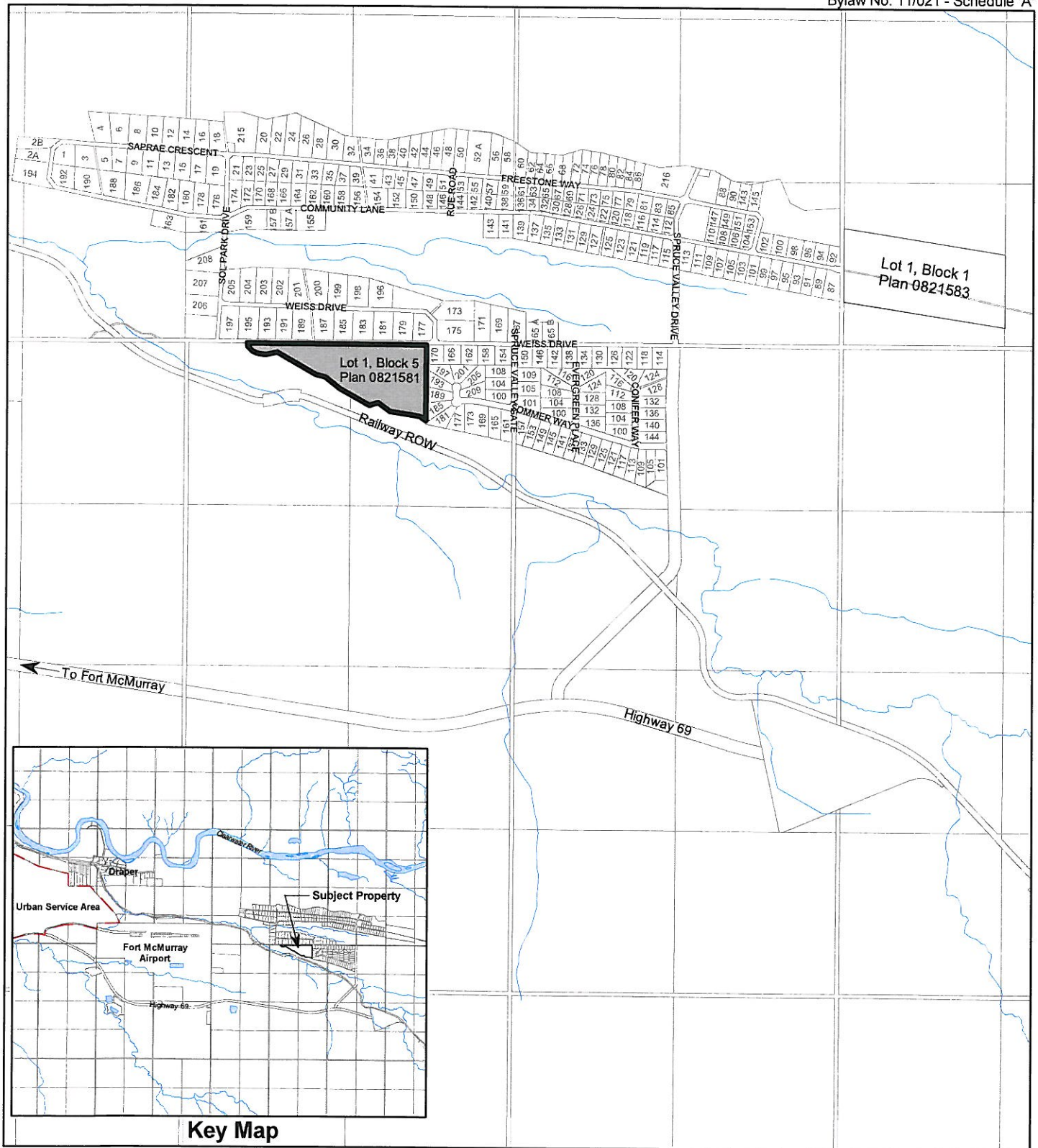
READ a second time this _____ day of _____, A.D. 2011.

READ a third and final time this _____ day of _____, A.D. 2011.


SIGNED and PASSED this _____ day of _____, A.D. 2011.

Mayor

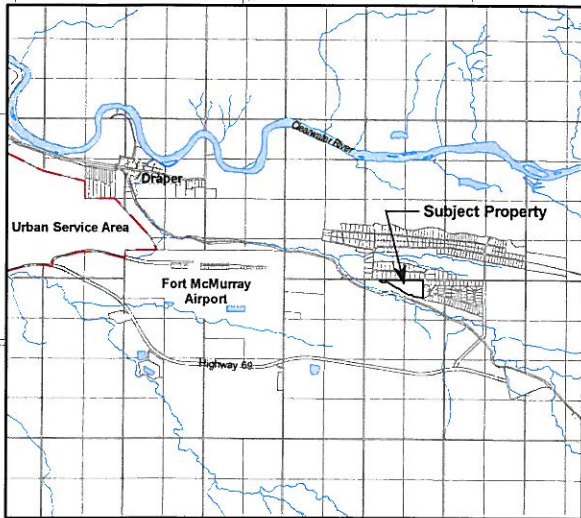
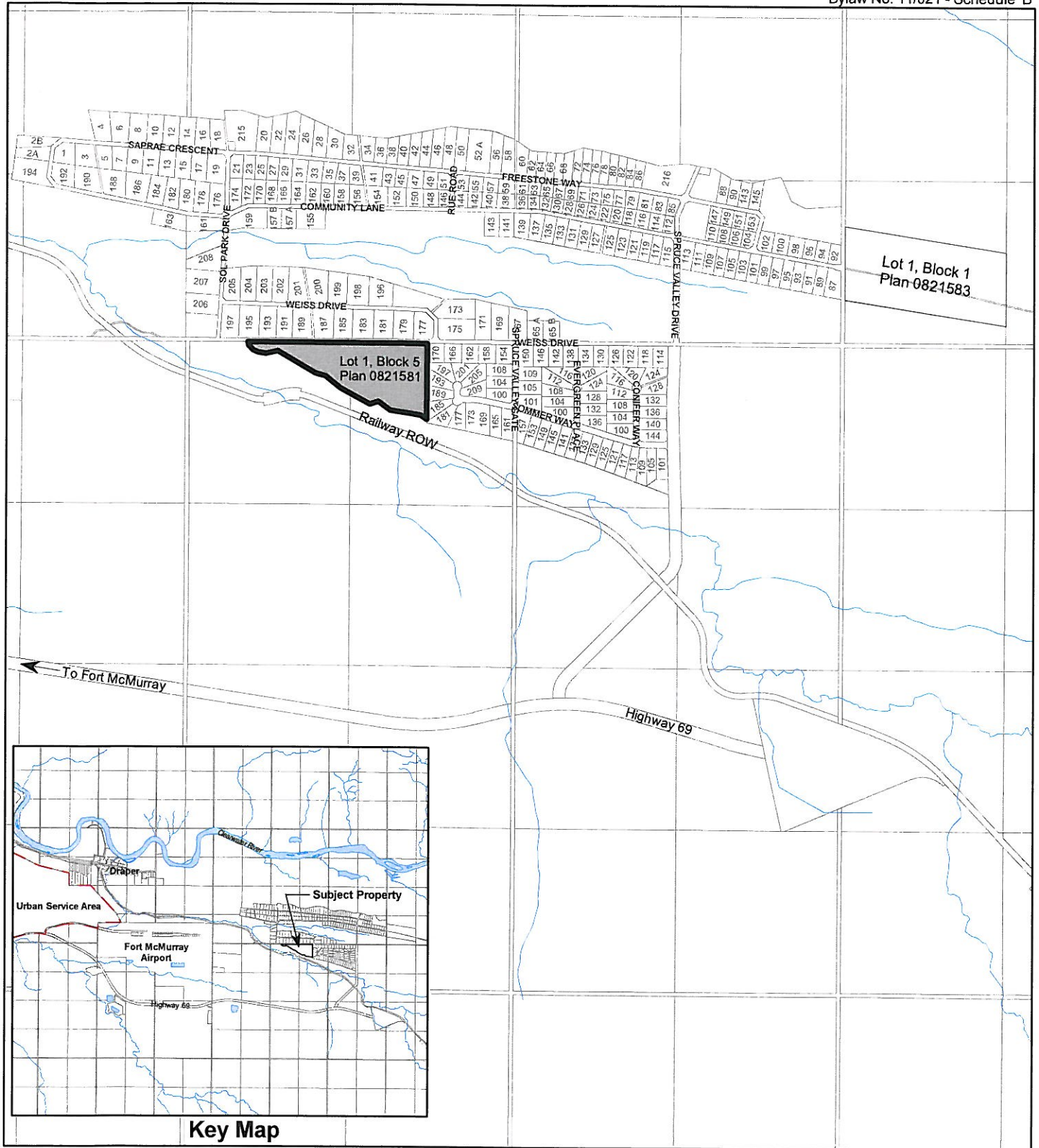
Chief Legislative Officer



Highway 69/Clearwater River Valley Area Structure Plan Amendment

 From Environmentally Sensitive Areas To Existing Suburban Estate Residential
Lot 1, Block 5, Plan 0821581



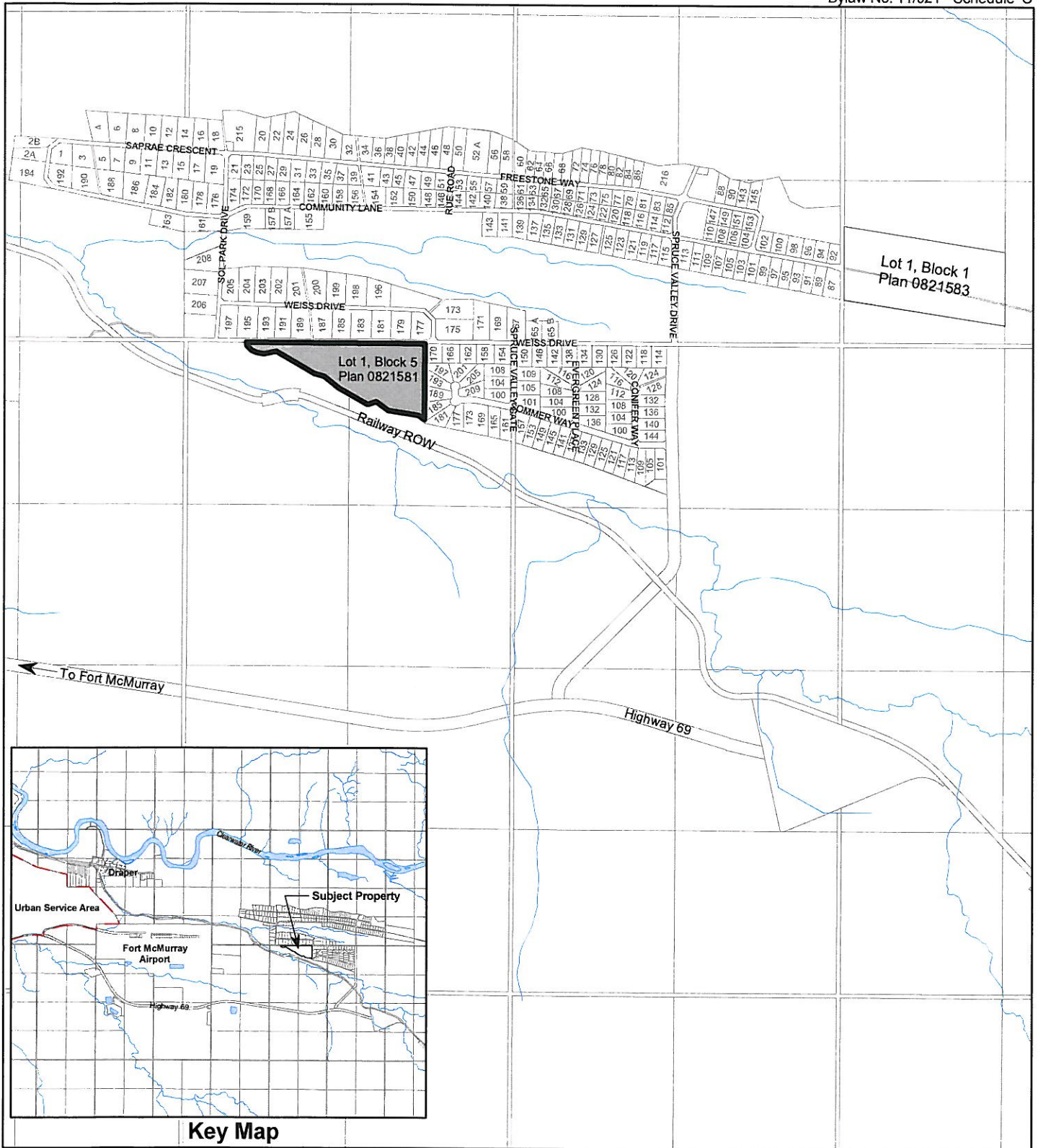


Key Map

Fort McMurray Municipal Airport Area Structure Plan Amendment


 From Environmentally Sensitive Areas To Existing Suburban Estate Residential
Lot 1, Block 5, Plan 0821581





Key Map

Saprae Creek Area Structure Plan Amendment

 From Recreation To Country Residential
Lot 1, Block 5, Plan 0821581



BYLAW NO. 11/022

**BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO TO
AMEND LAND USE BYLAW NO. 99/059**

WHEREAS Section 639 of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to enact a bylaw adopting a Land Use Bylaw.

AND WHEREAS Section 191(1) of the *Municipal Government Act*, R.S.A., 2000, c.M-26 and amendments thereto authorizes Council to adopt a bylaw to amend a Land Use Bylaw.

NOW THEREFORE, the Council of the Regional Municipality of Wood Buffalo, in the Province of Alberta, in open meeting hereby enacts as follows:

1. THAT Bylaw No. 99/059 is hereby amended by:
 - a) redesignating Lot 1, Block 5, Plan 082 1581 from Urban Expansion District (UE) to Suburban Estate Residential District (SE), as shown in Schedule A; and
 - b) reducing the minimum lot size from 1.0 hectare to 0.8 hectares within the Hamlet of Sapræ Creek Estates.
2. THAT the Chief Administrative Officer is authorized to consolidate this bylaw.
3. THAT this bylaw shall be passed and become effective when it receives third reading and is signed by the Mayor and Chief Legislative Officer.

READ a first time this 14th day of June, A.D 2011.

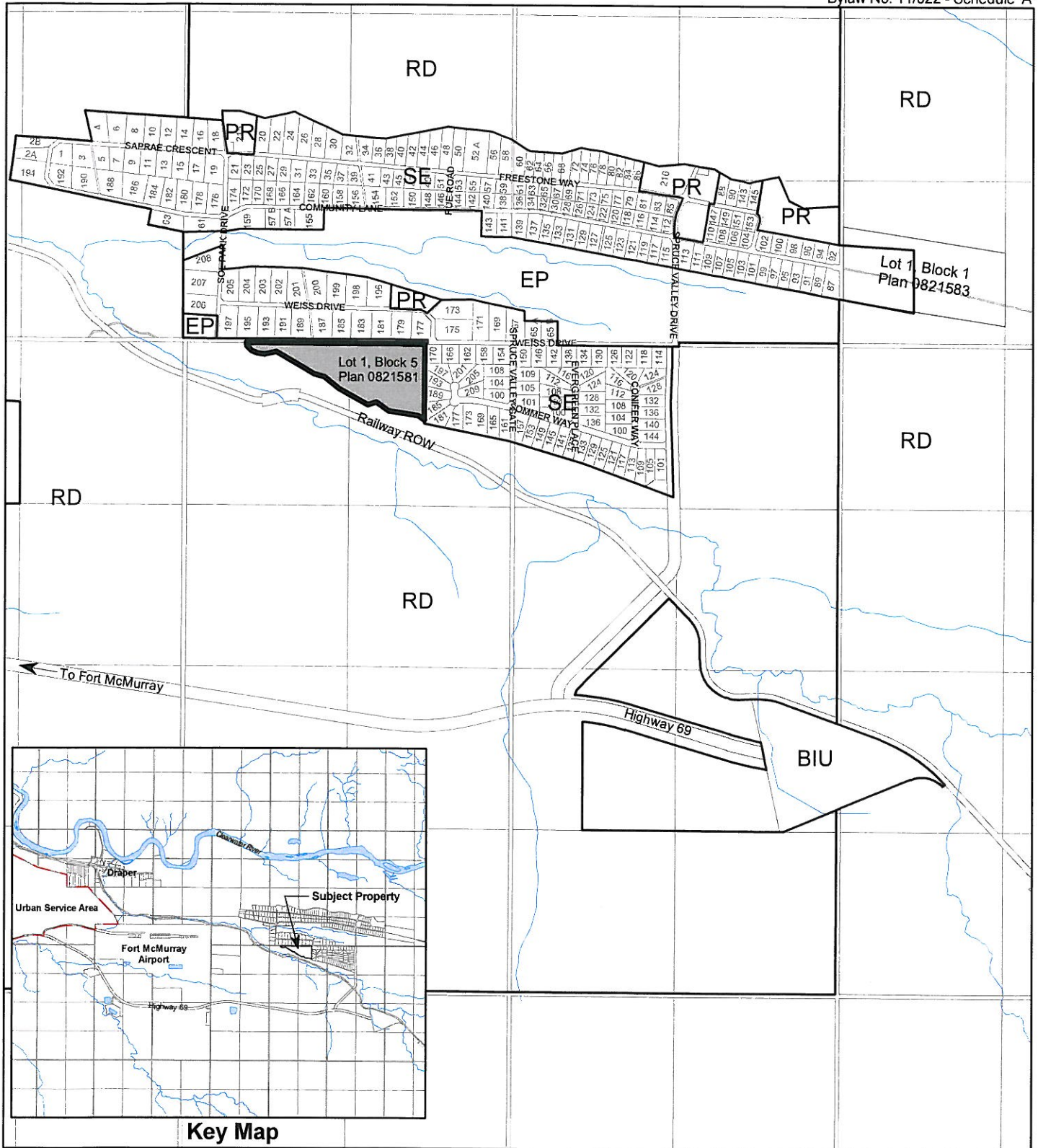
READ a second time this _____ day of _____, A.D. 2011.

READ a third and final time this _____ day of _____, A.D. 2011.


SIGNED and PASSED this _____ day of _____, A.D. 2011.

Mayor

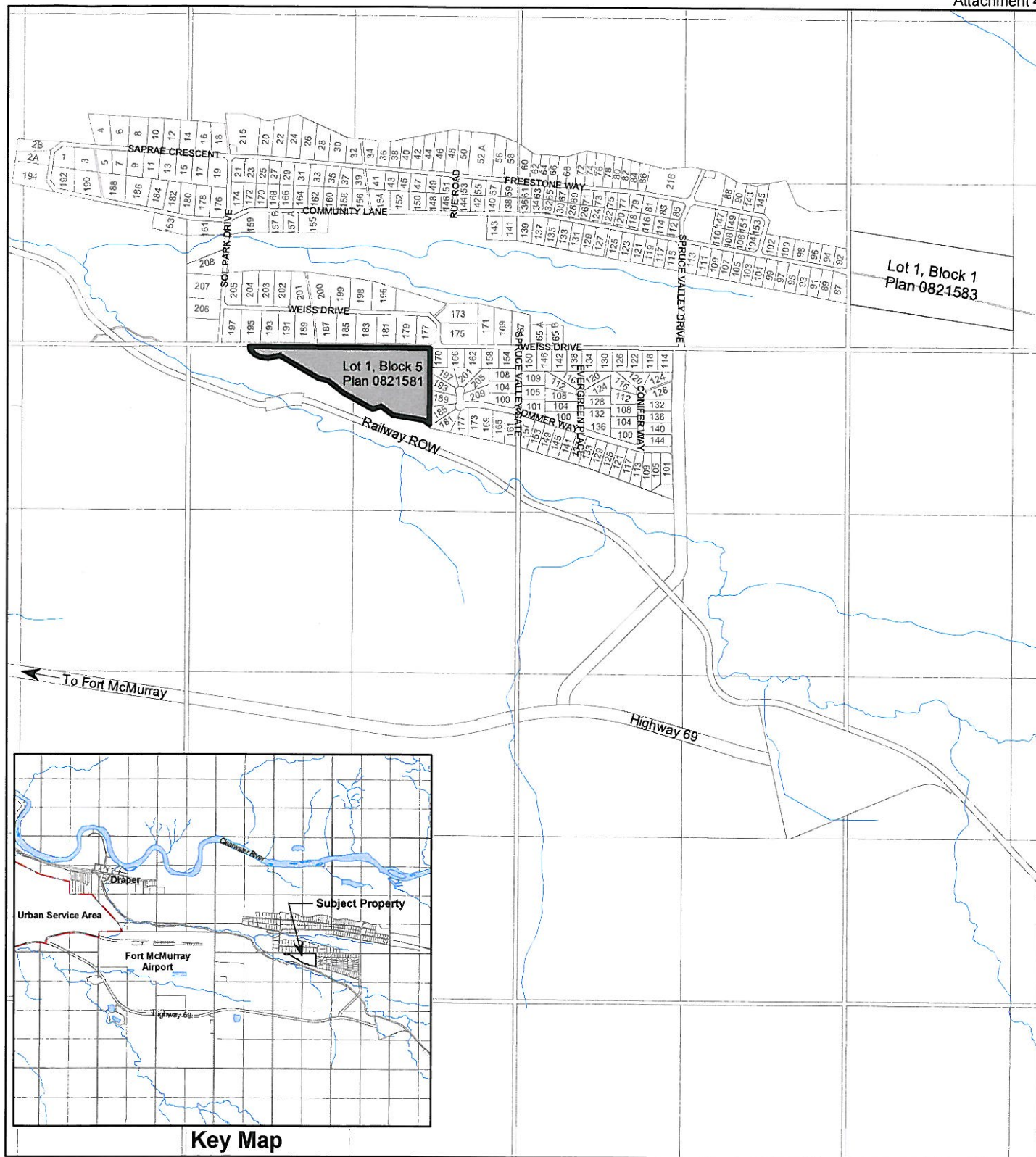
Chief Legislative Officer



Land Use Bylaw Amendment

 From Urban Expansion District (UE) To Suburban Estate Residential District (SE)
Lot 1, Block 5, Plan 0821581

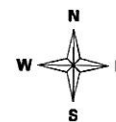




Subject Area Map



Subject Property - Lot 1, Block 5, Plan 082 1581 (Saprae Creek Estates)



Subject: Reserve Designation Removal and Consolidation – South Municipal Multi-Use Facility**APPROVALS:**

Glen Laubenstein, Chief Administrative Officer
Wes Holodniuk, Divisional Manager
Marcel Ulliac, Director

Administrative Recommendation(s):

1. THAT the reserve designation be removed from the property legally described as Plan 7520462 Block R7.
2. THAT once approved for reserve designation removal, the property currently legally described as Plan 7520462, Block R7 be consolidated with the adjacent property legally described as Plan 0625305, Block 24, Lot 3.

Summary:

Site development is underway for the proposed South Municipal Multi-Use Facility (SMMUF). To accommodate the facility, the south reserve portion of the property must be utilized. The subject land was designated in 1975 to create a buffer between the road (highway 69) and the Industrial Subdivision; however, the subject land's reserve designation is not required and can be removed.

Background:

The Capital Budget has provided for the construction of a South Municipal Multi-Use Facility that will accommodate the needs of various municipal services including Public Services, Transit, and Parks. A municipal-owned 23-acre parcel of land (Plan 0625305, Block 24, Lot 3) located along Highway 69 is designated to accommodate the facility.

To proceed with the overall project development, the site property must be consolidated with a reserved parcel of land (Plan 7520462, Block R7). The reserve designation must be removed prior to consolidation. The removal requires a public hearing, followed by a Council resolution.

In addition to being zoned under the Municipal Land Use Bylaw (LUB) as Business Industrial, Plan 7520462, Block R7 is also classified as a Reserve Lot in accordance with the Alberta Land Titles Act. Land is normally designated as reserve to prevent development in the event it is needed for such uses as a buffer, road widening, and so on. Unlike a zoning designation such as Business Industrial Park, removing the reserve designation does not require an amendment to the Land Use Bylaw, but rather a resolution of Council subject to the holding of a public hearing. In accordance with the Municipal Government Act, a municipality must advertise its intention to

remove a reserve designation, post a notice on or near the site, and hold a public hearing. As required, the Municipality has advertised and posted signage.

Alternatives:

Maintain the reserve designation on Plan 7520462 Block R7 and do not consolidate it with Plan 0625305, Block 24, Lot 3 resulting in the need to revisit the construction of the facility.

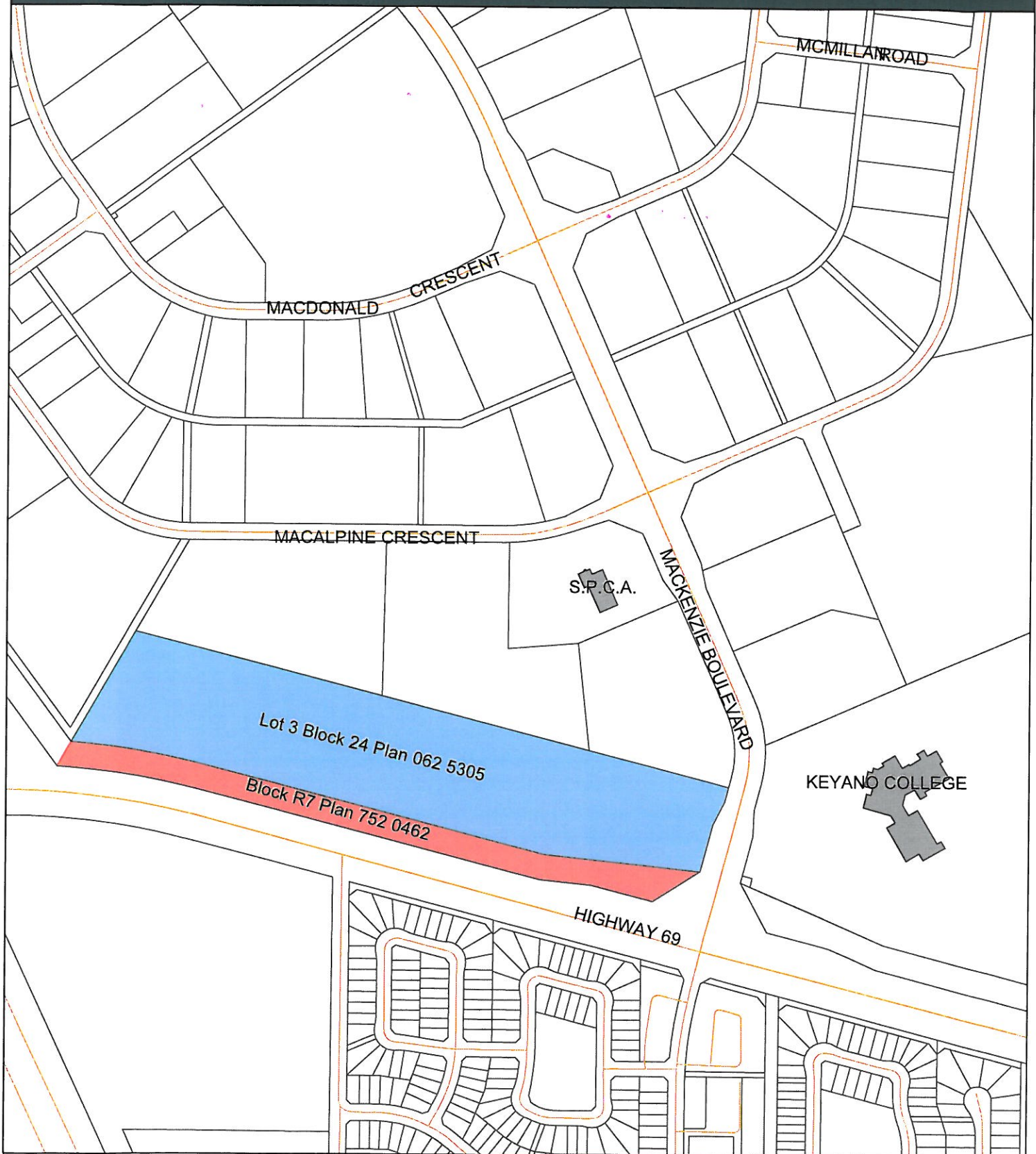
Rationale for Recommendation(s):

Administration supports removing the reserve designation from Plan 7520462, Block R7 and consolidating it with Plan 0625305, Block 24, Lot 3. This will provide the required land base for construction of the South Municipal Multi-Use Facility.

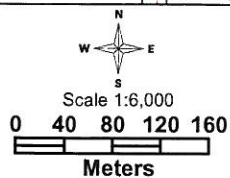
Attachments:

Map of Subject Property: Proposed SMMUF Site dated December 15, 2010

PROPOSED SMMUF SITE



- Proposed SMMUF Site
- Reserve Land
- Urban Survey Parcels
- Roads
- Buildings



PROPOSED SMMUF SITE



REGIONAL MUNICIPALITY
OF WOOD BUFFALO

Map created by the Geographic Information
Systems Branch on December 15, 2010

Map S10632

Subject: Bylaw No. 11/023– Road Closure and Authorization to Sell**APPROVALS:**

Glen Laubenstein, Chief Administrative Officer,
Wes Holodniuk, Divisional Manager
Keith Smith, for Director

Administrative Recommendation(s):

1. THAT Bylaw No.11/023, a bylaw to close a laneway, be read for the first time.
2. THAT subject to the laneway closure, and in accordance with the terms and conditions outlined in Attachment 3 (Summary Land Sale – Terms and Conditions dated June 1, 2011), Administration be authorized to proceed with the sale of the laneway to the purchaser for land consolidation purposes.

Summary:

On May 07, 2008, the Municipality received an unsolicited offer to purchase the laneway that lies adjacent to the properties legally described as Plan 6344AY, Block 8, Lots 14 – 22 inclusively (Attachment 2: Subject Area Map – Proposed Road Closure and Sale).

A portion of the laneway that borders the purchaser's properties is used for storage and vehicle parking purposes. The proposed closure and sale of the laneway will enable the purchaser to consolidate the closed laneway with their property.

To create a title and facilitate the sale of the laneway, it must first be closed by Bylaw. The Alberta Land Titles Office has reviewed the legal description of the proposed laneway closure to ensure accuracy.

Extenuating circumstances delayed the process of Administration bringing forward the original unsolicited offer to purchase for Council consideration. To compensate for the delays in processing the original unsolicited offer to purchase, it would seem fair and reasonable to accept the purchaser's current offer. The offer is 8.4 per cent less than the current market value that was determined by an independent appraiser.

Background:

Regrettably, due to staff turnover and departmental restructuring related to the Land Administration function that occurred from 2008 through part of 2009, no effort was put forward to process the unsolicited offer to purchase until June 2009; a year after receipt of the unsolicited offer to purchase. The unsolicited offer to purchase was circulated to several municipal departments, Alberta Transportation, franchise agencies, and adjacent property owners for review and comment. Follow-up consultations have confirmed that the lane closure will not

impact municipal or utility operations. Even though no negative feedback has been received from the public or adjacent property owners, they will be formally advised through the public hearing process and will be given the opportunity to address Council.

On May 11, 2011, Alberta Motor Products submitted a new unsolicited offer to purchase the laneway for \$175,000: an amount that is slightly higher than the market value assigned to the laneway as a “stand alone” property, yet slightly lower than the market value based on a “contributory” value approach.

The closure should not impact the public as the subject laneway has been fenced off and is effectively being used as part and parcel of the purchaser’s lands. As such, the subject undeveloped laneway is closed to public access. A review of aerial photos dated 2002 confirms that the laneway was fenced at that time; however, it is unknown how long the laneway has been fenced off.

In accordance with the *Municipal Government Act*, if a municipality intends to transfer or grant an estate or interest in land for less than its market value, it must advertise a proposal of its intentions. Furthermore, in accordance with the *Act*, a municipality must advertise proposed closures, post a notice on or near the site, and hold a Public Hearing.

Alternatives:

1. Accept the offer
2. Reject the offer
3. Submit a counter offer at a selling price of \$191,000

Financial Consideration:

The Municipality has not assigned a book value to the asset (laneway). The Municipality will not realize a loss on the assigned value as the sale price will determine the book value.

Rationale for Recommendation:

Dedicated as a roadway, the laneway has remained undeveloped since the subdivision plan was approved in the 1970’s. As such, Administration supports the proposed closure and sale of the laneway as it does not serve a functional purpose, and does not serve to provide physical access to adjoining lots. Furthermore, Centennial Drive and Fraser Avenue provide the required legal and physical access to the surrounding lots.

Sale of the subject laneway will allow consolidation and land assembly with the adjacent lots that are intended to facilitate new development.

As extenuating circumstances delayed the process of bringing this particular Administrative recommendation before Council, Administration recommends accepting the offer put forth by the purchaser.

Attachments:

1. Bylaw No. 11/023
2. Subject Area Map – Proposed Road Closure and Sale
3. Summary Land Sale Terms and Conditions

BYLAW NO. 11/023

BEING A BYLAW OF THE REGIONAL MUNICIPALITY OF WOOD BUFFALO FOR THE PURPOSE OF CLOSING AND CREATING TITLE TO UNDEVELOPED GOVERNMENT ROAD ALLOWANCES

WHEREAS application has been made to the Council of the Regional Municipality of Wood Buffalo to close an undeveloped government road allowance pursuant to the requirements of section 22 of the Municipal Government Act, RSA 2000, c.M-26, as amended;

WHEREAS the Council of the Regional Municipality of Wood Buffalo deems it expedient to provide for the purpose of closing certain roads, or portions thereof, situated in the said municipality, and thereafter disposing of same;

WHEREAS, notice of the intention of Council to pass a bylaw has been given in accordance with Section 606 of the Municipal Government Act; and

WHEREAS, Council was not petitioned for an opportunity to be heard by any person claiming to be prejudicially affected by the bylaw,

NOW THEREFORE BE IT RESOLVED that the Council of the Regional Municipality of Wood Buffalo in the Province of Alberta hereby enact as follows:

1. The following described road allowance is hereby closed for the purpose of creating title subject to the right of access granted by other legislation:

Plan 6344AY

Block 8

All that portion of lane adjoining the northwest boundary of Lot 22 and lying north of the northwesterly production of the southwest boundary of the lot 22.

Excepting there out all mines and minerals.

2. This Bylaw shall become effective when it has received third and final reading and has been signed by the Mayor and Chief Legislative Officer.

READ a first time this _____ day of _____, 2011.

READ a second time this _____ day of _____, 2011.

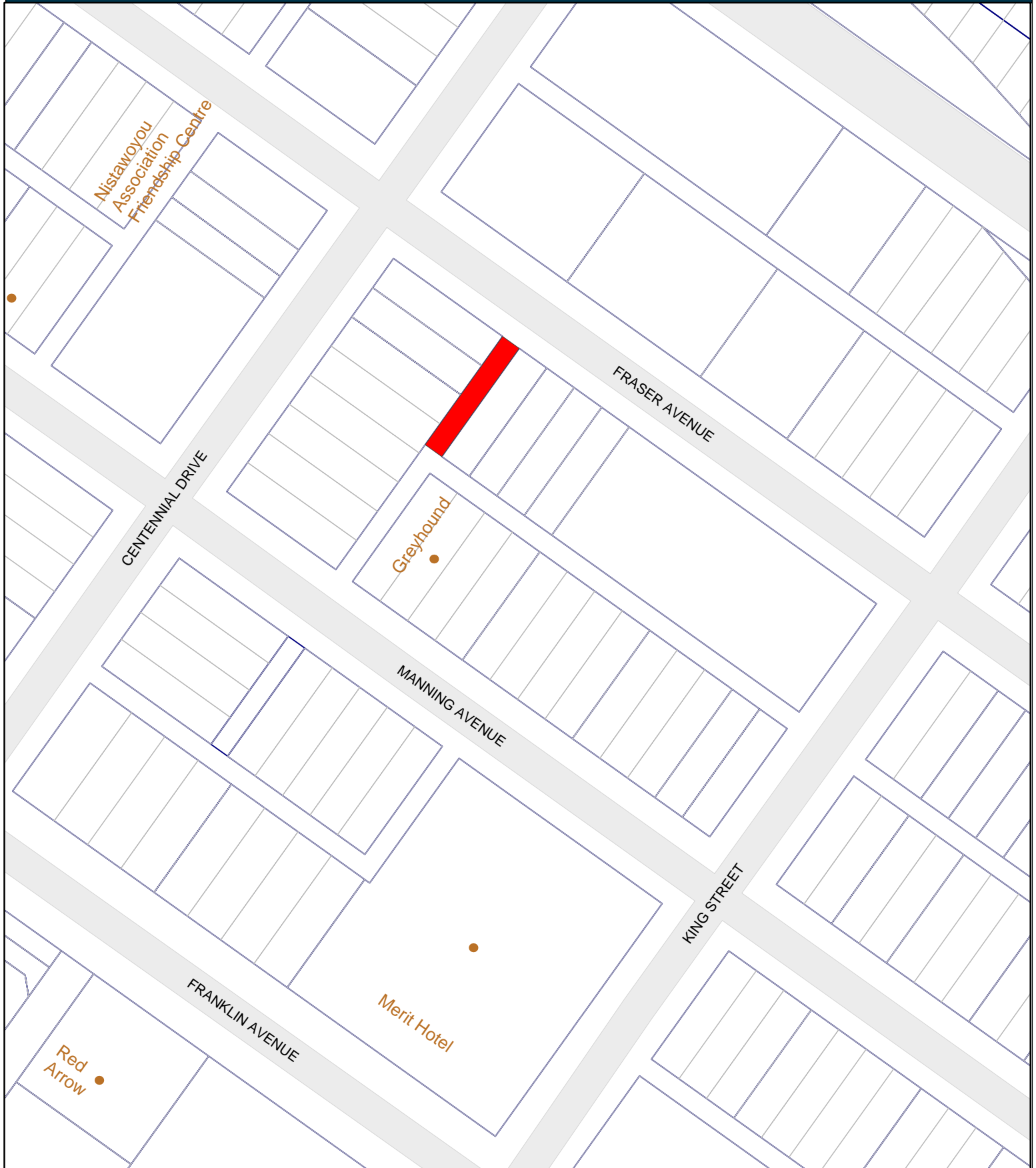
READ a third and final time this _____ day of _____, 2011.





SIGNED and PASSED this _____ day of _____, 2011.

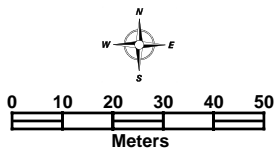
Mayor

Chief Legislative Officer

ATTACHMENT 2



-  Roads
-  Survey Parcels Owned by AMP
-  Proposed Road Closure
-  Survey Parcels



**PROPOSED ROAD CLOSURE/
AUTHORIZATION TO SELL**
BLOCK 8, PLAN 6344AY
0.0596 ACRES



Map created by the Geographic Information
Systems Branch June 2, 2011
(SI0227(4))

Attachment 3

Summary of Land Sale – June 01, 2011

| | |
|--------------------------------------|---|
| Legal Description: | Plan 6344AY, Block 8, all that portion of lane adjoining the northwest boundary of Lot 22 containing 0.0596 acre (As shown in Attachment 2 – Subject Area Map dated June 2, 2011). |
| Sale Price: | Sale of the closed laneway land shall be based on an independent market value appraisal that was conducted on April 7, 2011, which values the laneway at \$191,000 less 8.4 per cent discount in compensation for setback to the purchaser. In addition to the purchase price, the purchase shall pay 7 per cent of the total land price as administrative costs and legal disbursement to the Municipality. |
| Environmental Considerations: | The subject lands will be sold on an “as is – where is” basis. |
| Survey and Consolidation: | <p>The purchaser shall be responsible for the preparation of a legal survey plan that will consolidate those portions of the closed laneway with their respective lots.</p> <p>The purchaser shall be responsible for applying and submitting the consolidation plan to the Municipality for subdivision approval.</p> <p>Upon approval, the Subdivision Approval Authority shall submit the plan to Alberta Land Titles Office for registration.</p> |
| Condition of Sale: | The purchaser must consolidate the subject laneway land with the adjacent adjoining properties. |
| Fees and Disbursements | The purchaser(s) shall be responsible for all legal and registration fees associated with the transactions. |

Subject: Expropriation - Road Right of Way within Lot 1, Block 1, Plan 012 3284 (Prairie Loop Boulevard)

APPROVALS:

Glen Laubenstein, Chief Administrative Officer
Wes Holodniuk, Divisional Manager

Administrative Recommendation(s):

THAT an expropriation be initiated to secure a Road Right of Way (ROW) within Lot 1, Block 1, Plan 012 3284 from River Pointe Shopping Centre Investments Inc.

Summary:

After extensive attempts to reach a negotiated agreement with the landowner (River Pointe Shopping Centre Investments Inc.) for municipal acquisition of a 0.56 acre m/l ROW from Lot 1, Block 1, Plan 012 3284 (Attachment 1), the matter has now reached a point where the next step in the process is expropriation. Commencing with expropriation is not the end of negotiations. If an agreement can be reached, expropriation will not be needed.

Following the exchange of several offers between the Municipality and the landowner, both parties are still significantly apart in terms of the overall financial compensation.

The noted expropriation is required for construction of the west extension of Prairie Loop Boulevard in the Lower Townsite. The construction is scheduled to start in the spring of 2013.

While expropriation is a last resort for the Municipality, it is the only option remaining. By proceeding with expropriation at this time, it will enable ample notification to be served so that the landowner can take all reasonable and appropriate steps and measures to mitigate all impacts on the tenants who currently occupy the property. Further, the landowner has advised that he has an option to purchase a new site where his lead tenant would be accommodated, however, he must act on that option by the end of June, and thus, time is of the essence.

Background:

In 2005, Council approved the first phase of the Lower Townsite Prairie Loop Boulevard project. In 2010, Administration completed the acquisition of the easterly Prairie Loop Boulevard land requirements. To remain on schedule, the Municipality must secure ownership of the lands required for development of the westerly portion of Prairie Loop Boulevard. The required lands (.56 acres m/l), which are privately-owned, are located on the most northern portion of Lot 1, Block 1, Plan 012 3284.

Alternatives:

Existing urban built-up areas, construction risks, and cost factors present no suitable alternative other than to proceed with acquisition of the ROW from within Lot 1, Block 1, Plan 012 3284.

Budget/Financial Implications:

In order to ensure that the property owner is fairly and appropriately compensated for the required expropriation, the matter will be heard by the Land Compensation Board. The final compensation will be based on sound business practices and principles which are used by the Land Compensation Board to reach decisions on matters of this nature.

Thus, the expropriation process will establish what is considered to be a fair and reasonable compensation for market value of land, damages for disturbance, lost economic advantage, injurious affection, and business losses which are demonstrated and determined by the Land compensation Board as being legitimate.

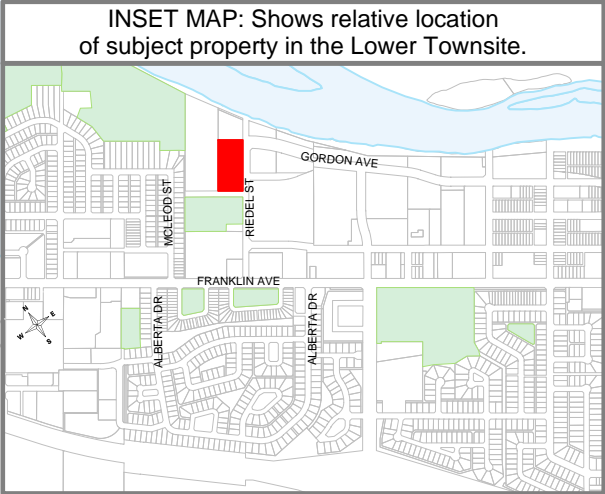
As a result of having to proceed with an expropriation, the Municipality will incur costs associated with preparation for and attendance at the Expropriation Hearing. The Municipality will be responsible for payment of the cost incurred by the landowner for preparing and presenting his case to the Land Compensation Board. The total cost will be funded from the approved Land Acquisition Capital Budget.

Rationale for Recommendation(s):

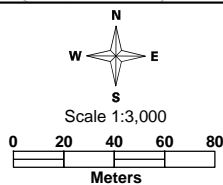
Negotiations between the Municipality and the landowner to secure the required land rights have proven unsuccessful. The ROW is required in order for the Municipality to remain on schedule with construction of the west portion of Prairie Loop Boulevard. Commencement of the expropriation process at this time provides greater certainty for affected parties relative to the Prairie Loop Boulevard project, provides for the maximum possible notice to affected parties in the current circumstances, and ultimately provides the greatest opportunity for mitigating the negative and financial effects of the required expropriation. Further, due to existing build-up and development located in the immediate area which impacts the ROW design and alignment, there is no suitable alternative available. While expropriation is a last resort for the Municipality, it is the only option remaining at this time.

Attachments:

Subject property map



- Proposed Road Right of Way
- Lot 1 Block 1 Plan 012 3284
- Survey Parcel
- Water
- Road
- Landmark



ROAD RIGHT OF WAY EXPROPRIATION - 0.56 ACRES
 PRAIRIE LOOP BOULEVARD
 RIVER POINTE SHOPPING CENTRE INVESTMENTS INC.



Map updated by the Geographic Information Systems Branch on June 16, 2011

Map SI0792